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ARCHIVES OF MARYLAND  
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PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

1752-1754

(23)

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MARYLAND HISTORICAL SOCIETY

J. HALL PLEASANTS

*Editor*



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## ARCHIVES OF MARYLAND.

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## LETTER OF TRANSMITTAL.

BALTIMORE, *February 1, 1933.*

*To the Maryland Historical Society.*

GENTLEMEN :

This volume of the Archives of Maryland, which your Committee on Publications now has the honor to submit, contains the Proceedings and Acts of the General Assembly of Maryland for 1752, 1753, and 1754. It forms Volume L of the general series, and the twenty-third volume of the sub-series dealing with Assembly affairs. The first volume of the Archives appeared in 1883, so that the present volume marks a stewardship spanning half a century, during which the Maryland Historical Society has prepared and published annually for the State a volume of its early records, under a biennial appropriation made by the General Assembly.

The three years from 1752 to 1754, which this volume covers, was a period when relations between England and France, that had been temporarily patched up in 1748 by the peace of Aix-la-Chapelle, were again being subjected to the severe strains that were destined in 1756 to result in the outbreak of the Seven Years War, or as it was called in the colonies, the French and Indian War. The French were extending their chain of forts southward from Canada, and their presence in increasing numbers on the Ohio was a serious threat to Maryland and the neighboring British colonies. The home government realized the danger and began to take steps to strengthen the defences on the western frontier. Troops were dispatched from Great Britain to North America and the colonies were called upon to furnish men and supplies and money for the inevitable conflict. That Maryland fully shouldered her share of the burden in its earlier stages is not borne out by a study of the records during these three years. The importance of the impending struggle between England and France was at first not fully realized and was overshadowed in the Province by the increasing hostility between the Lord Proprietary and the people of the Province as represented by the majority in the Lower House, who felt that the Proprietary was not bearing a proper proportion of the expenses of the government and those incident to the preparations for war; and there was a long delay in making the necessary appropriations for men and supplies. The Proceedings of the Assembly bring vividly before us the details of this struggle between them.

The Province was fortunate during this trying period in having the office of governor filled by men possessed of ability, common sense and tact. Samuel

Ogle, who had entered upon his third term as governor in 1746 and who possessed in a high degree the confidence of the people, died, May 3, 1752, just a month before the meeting of the single Assembly held in this year, and was succeeded as acting governor by Benjamin Tasker, the President of the Council, who presided over the affairs of the Province until the arrival of the new governor, Horatio Sharpe, August 10, 1753. Tasker, who was a native of Maryland, seems to have had the confidence of the people. He died in 1768 in his seventy-eighth year, having been a member of the Council for forty-seven years and its president for thirty years.

The appointment of Sharpe, who remained governor until 1769, was a fortunate one, as he continued for sixteen years to have the respect and confidence of the people of Maryland on the one hand and of the Proprietary and home government on the other, and this at the period when the political ties which bound the people to the Proprietary and the King were fast reaching the breaking point.

Frederick, the sixth Lord Baltimore, who had become Lord Proprietary upon the death of his father, April 24, 1751, did not reach his majority until February 6, 1753. The supervision of the affairs of the Province until he became of age were vested in his two guardians, Arthur Onslow, for many years speaker of the House of Commons, and John Sharpe, brother of Governor Horatio Sharpe. The solicitude of the guardians for the interests of their ward and his Province is brought out strikingly by a study of the papers that appear in the Appendix. Little need be said of Frederick, the new Proprietary. A worldling and dilettante, he never took the trouble to visit his American possessions and showed little interest in their affairs except as a source of revenue for his extravagances, and entrusted the direction of all matters there to his uncle Cecilius Calvert, from whom as his secretary for Maryland, resident in England, orders and directions to Governor Sharpe emanated. Although a man possessed of not a little common sense, shrewdness, and vision, his orders and letters to Sharpe show that he was utterly unable to express his thoughts clearly or coherently.

The session which began June 3, 1752, the second session of the Assembly elected in 1751, was opened by an address of welcome to both houses by Benjamin Tasker, President of the Council, and as such, acting governor, which was promptly met by a rather curt request from the Lower House that he show by what authority or commission he now acted as President of the Council. Tasker satisfied this inquiry by a statement that although all commissions to membership in the Council had expired upon the death of Charles, the late Proprietary, Frederick, the new Proprietary, through his guardians had directed Ogle, the late governor, to reinstate all members of the late Council



as members of the new Council, and that he now held office by virtue of this commission from the guardians. This explanation seems to have entirely satisfied the Lower House. Recognition of the increasingly strained relations with the French is shown in the report, June 19th, of the committee appointed to examine into the condition of the arms and ammunition belonging to the Province. The anti-Catholic agitation, revived a few years earlier by the futile attempt in Scotland to place the Young Pretender on the throne, and stimulated anew by the encroachments of the French on the Ohio, blazed up again in the Lower House when the Committee on Grievances made a lengthy report to that body on what it termed "the growth of Popery" in the Province, which was adopted by the Lower House, but does not seem to have been considered in the Upper House. This report charged that, contrary to law, Catholic schools for children were maintained, that land was owned by Jesuits and other priests upon which "mass houses" were erected, that prominent Catholics sent children abroad to be educated at St. Omer's and other "Popish seminaries," and that magistrates with Catholic leanings had failed to prosecute Catholics who had "spoken treasonably of the King." The report further charged that Henry Darnall, the Attorney General, and his brother John Darnall, one of the judges of the Provincial Court, were of Papist families and without doubt Papists themselves, as were the families of three other judges of the Provincial Court; and that most of the receivers of quit-rents on the Western Shore were known Papists. It was also charged that Mr. Charles Carroll, a powerful Papist (father of Charles Carroll of Carrollton), had used his influence to secure the election of delegates to the Assembly known to be friendly to the Catholic party.

Most of the laws enacted at this session were of minor importance. Acts were passed to prevent the manumission of slaves by will or the setting free of disabled or superannuated slaves; to determine the method of punishment for fornication and adultery; to change the testamentary laws; to regulate the appointment and duties of constables; to facilitate the release by non-resident *feme covert*s to dower rights in Maryland lands and the assignment by them of other interests in lands here; to fix the allowances to petty jurors and witnesses; to relieve from imprisonment charges witnesses who were unable to furnish surety; to prevent the sale of liquors and the running of horse races near the yearly meeting of Quakers; to erect a Chapel of Ease in St. John's Parish in Baltimore County in the forks of the Gunpowder; and to print the session laws and the Votes and Proceedings of the Lower House. In addition various local laws to encourage the destruction of crows, squirrels, red foxes, and wolves were passed. It will be noted that most of the acts passed were to remain in force for a limited period, the usual period being three years, and

that several were re-enactments of laws, which were about to expire, passed at previous sessions with similar limitations as to time.

Several desirable laws failed of passage because of disagreement between the two houses. The Upper House, composed of the Governor and Council and therefore under the direct influence of the Proprietary, was often at loggerheads with the majority of the members of the Lower House. Although party lines were not always sharply defined the majority in the Lower House at this period was of what was known as the County party, and was generally to be found, in matters involving political principles or taxation, in opposition to the influential but small group in this same House which was more or less closely allied to the ruling hierarchy, known as the Proprietary party, which completely dominated the Upper House. But divisions in the Lower House did not always follow strictly these party lines for we often find the more conservative members of the County party voting with the Proprietary group against measures favored by the more radical members of the popular party.

A bill emanating from the Lower House, imposing a license upon hawkers, pedlars, and petty chapmen, caused a sharp division between the County and Proprietary parties. It was passed by the Lower House, but was rejected in the Upper House because of the latter's insistence that the license fees and fines should go to the Proprietary, while the Lower House was determined that these should go to the support of the county where they were imposed. Several local bills such as those restricting domestic animals from running at large and providing greater protection against fire in the construction of chimneys, seemed to have been rejected because the Upper House insisted that the fines for their violation should go to the Proprietary. A bill reducing the allowances to members of both houses of the Assembly was rejected by the Upper House. A bill to encourage the West India trade was likewise rejected by the Upper House, because under its terms the payment of commissions to the Naval Officers, appointees of the Proprietary, on the duties collected, was jeopardized.

The session came to an end June 23d and was prorogued until the following October, but the Assembly did not meet in October as it was again prorogued by Tasker until December, then successively to February 1753, to May, to July, and to August, and finally to October of that year when it at last met. These successive prorogations were ordered by Tasker to delay the meeting until the arrival of the new governor.

The session which met October 2, 1753, a few weeks after the arrival of Governor Sharpe, was soon to show him that there were difficulties in the way of his dealings with the Lower House. When the session opened Sharpe presented an address to the Assembly from Frederick, the Lord Proprietary,

announcing the appointment of the former as governor. This was followed by a speech by the Governor himself congratulating the members of the Assembly upon the arrival at age of Frederick, expressing confidence that as Governor he would have the co-operation of that body, and announcing as an evidence of the young Proprietary's zeal for the welfare of the Province that there had already been received a promise from him for the replacement of the arms which had been supplied from the Provincial armory for the late expedition to Canada.

After new members, elected to fill vacancies caused by death or resignation, were sworn in, the Lower House presented an address to the Governor expressing its great satisfaction at his selection, thanking him for the part he had taken in securing the replacement of the Provincial arms, and promising to cooperate with him in advancing the welfare of the Province; to which the Governor replied in an appropriate speech.

Ever suspicious and resentful of the fees collected by the various Provincial officers of the Proprietary government, a committee of the Lower House of which Dr. Charles Carroll (father of Charles Carroll, the Barrister) and an aggressive member of the County party, was Chairman, filed a lengthy report showing how great was the aggregate amount of the fees collected during the preceding eight years and paid into the Provincial Court, the Land Office, the Chancery Court, and the Court of Probate. Two other instances are to be noted at this session when the Lower House took a stand against the payment of fines or fees to the Proprietary or his officers, one of which had rather far reaching repercussions. The act to license hawkers, pedlars, and petty chapmen, which had failed of passage at the former session, after the interchange of fruitless messages between the two houses, failed again because the Upper House insisted that the fines should go to the Lord Proprietary "for the support of Government," and the Lower House that they should be used for the support of the county schools. The Lower House, in an address dated November 17th, declared that as a matter of fact, the fines collected in the Province, except a small amount paid by the Proprietary as a salary to the governor, did not really go to the support of the government at all but into the pocket of the Proprietary for his own purposes. After coming up again the next year successively at the February, May and July sessions, and engendering increasingly strained relations, a compromise was finally effected by which the fines from this source were to be used for "his Majesty's service," in aiding Virginia to defend the frontier against the French and Indians. The Lower House also refused to allow fees voted by the Upper House to the late governor for issuing proclamations in the several counties announcing his assent to the

passage of the important Tobacco Law, on the ground that such proclamations were unnecessary.

Early in the session the Lower House was called upon to decide an election dispute between two rival claimants for one of the seats representing the City of Annapolis, made vacant by the death of Captain George Gordon. Dr. George Steuart, a close friend of the Calvert family, had been certified as elected by the aldermen of the city, and his seat was contested by Dr. Alexander Hamilton, the witty Scotchman, chronicler of the Tuesday Club, author of the *Itinerarium*, and son-in-law of Daniel Dulany, the elder, who had been certified by the mayor as elected. The contestants, both rival Scotch physicians, were ordered to summon their witnesses before the bar of the house to testify as to certain disputed votes. After hearing these the house seated Dr. Alexander Hamilton. It is of interest that the expenses incurred in calling the thirty witnesses, amounting to seven pounds, ten shillings, were ordered paid by the two contestants respectively to the officers of the house.

The old disputed question as to the force of the English statutes in the colonies, cropped up again in this session. The Lower House, ever insistent that all English laws were in force in the Province, unless acts directly at variance to them had been passed by the Assembly, formally resolved on October 18th, that in order to assure the purity of the election of its members and to prevent bribery and corruption, all English laws, and especially the Statute of George II, Chapter 24, requiring every elector or voter to take the oaths, should be rigorously enforced. The suspicion is aroused that this was now brought forward to insure the exclusion of suspected Roman Catholic voters. An election bill which could hardly have had the same purpose, however, was soon afterwards introduced to limit to freeholders the right to vote for members of the Lower House, but this failed of passage.

The Roman Catholic question as usual flared up at this session in the Lower House, and again the Upper House took no part in it. The matter came before the Lower House in the form of a report from its Committee on Grievances and Courts of Justice, October 29, 1753. This report repeated the charges that the growth of Popery in the Province had become notorious through the public preaching of priests and their perversion of many Protestant subjects; that Catholic and Protestant children were taught openly in Catholic schools; that children were sent abroad to the Catholic seminary at St. Omer's to be educated; and that the Jesuits endeavored to pervert the servants and slaves of Protestants, thus increasing the danger to the Protestant inhabitants in case of insurrection. With this report were filed various statements and affidavits from sundry persons including five prominent clergymen of the Established Church: Thomas Chase, Hugh Deans, Thomas Cradock, James Magill, and

William Brogden. Special irritation was felt because Protestants marrying Catholics were obliged to promise that the children would be brought up as Catholics. Irresponsible charges brought in some of the depositions require no comment, but some of the statements are of interest in showing to what extent certain prominent Southern Maryland families were divided in their religious affiliations, and how frequently marriages between Protestants and Catholics occurred. It is also interesting that the clergy of the Established Church in their complaint not only showed their hostility to the Catholics, but were also very resentful of public preaching by dissenting Protestants who had not taken the oaths to the government. When the report was later brought before the Lower House for adoption it was rejected by the close vote of 21 to 19. Abraham Barnes, Philip Key, Richard Harrison, Matthew Tilghman, Benjamin Pearce, Michael Earle, James Hollyday, William Hopper, and the two Dulany, Daniel Dulany, the younger, and his brother, Walter, all outstanding men in the Lower House and most of them of the Proprietary party, voted against the adoption of the report. It is interesting that Dr. Charles Carroll (the father of Charles Carroll, the Barrister, and related to the family of Charles Carroll of Carrollton) who seems to have been a convert from Catholicism, was the chairman of the committee which brought in the report and took an active part in attempting to secure its adoption.

The last few days of the session were occupied with a dispute resulting in the interchange of several messages between the two houses over the adoption of the Journal of Accounts in which the Upper House had included the allowance of certain back fees to the late governor which the Lower House still refused to grant.

Though Sharpe urgently requested that "the Act for Arms and Ammunition" be immediately revived in view of the French and Indian threat, the Lower House declared they did not consider the danger so immediate that they felt justified in imposing now any additional tax on the people. The house reminded the Governor that in 1704, when the government was under the Crown, a tax of twelve pence per hogshead was imposed upon all tobacco exported, of which, under an order from Queen Anne, threepence was to be applied to the purchase of arms; but that now under the Proprietary government the entire twelve pence was taken by his Lordship, and that the Lower House felt that threepence per hogshead from the duty on tobacco should be used to defray military expenses, rather than that new taxes for this purpose be imposed. Near the close of the session the Lower House requested Sharpe to instruct the Attorney-General (Henry Darnall) to take steps to recover from the several sheriffs a sum amounting to £. 1227-19-1 which had been collected by them from licenses for ordinaries but had not yet been

paid over by them. The house also sent an address to the Lord Proprietary congratulating him upon his "noble and illustrious marriage," and expressing their approval of his choice for governor. They also requested that he use his good offices with the Lords of Trade and Plantations to permit the importation into the Province of salt from any place abroad in accordance with a "representation" to that body which accompanied the address. This representation to the Lords recites that while it is realized that nothing manufactured outside of England may be lawfully shipped to the colonies other than through England, except salt for the fisheries which may "without fraud" be shipped direct from any port of Europe to New England and Newfoundland in ships owned by British subjects, conditions now urgently demand that this exception as to salt, although not hitherto extended to include Maryland, should be construed to do so, because the Province at the time the charter was granted was considered a fishing colony owing to the extent of its seacoast and of the Chesapeake Bay and its tributaries. The Lords of Trade and Plantations are urged to request the King and Parliament to extend the same privilege to Maryland as is now granted to New England. The Governor closed the session with a speech to the Assembly thanking them for the regard shown to him personally and expressing the hope that the differences between the two houses would be soon compromised; and that in view of the disposition expressed by the Lower House to aid the neighboring colonies in case of attack, further stress would not now be laid on its objections to the immediate revival of "the law for arms."

In a legislative body, when the upper chamber represents the vested interests and the lower house the people at large, bills which fail of passage, such as some of those just described, often bring into relief the political tendencies and social conflicts of the period more than do the laws which are actually passed. Some of the thirty-five acts which did become laws, however, possess considerable interest. Probably the most important law to the people of Maryland, passed at this session was that entitled "An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees." This very lengthy law regulated in detail the inspection, warehousing, shipping and export duties on tobacco, the most important product of the Province, adopted elaborate schedules regulating in detail the fees of all public officials for legal papers, and services of every kind, and established tables for determining the rate at which various foreign gold and silver coins were to be circulated in the Province in terms of the Maryland pound current. In passing it is interesting to note that the English pound sterling at this time was equivalent to one pound, fifteen shillings, in Maryland pounds current. The operation of this tobacco act, which was in great

part a compilation based on numerous older separate acts, was limited to five years. Incidentally it may be said that the "Tobacco Law" in certain particulars did not meet with the Proprietary's approval, especially in its regulation of the fees of public officers, and that at one time he considered vetoing it.

It may be well to state here that the device so often employed by the Assembly to limit the operation of laws passed by it (the usual period was three years), was in part due to their fear of imposing a law upon the Province to the repeal of which, should it prove onerous, the Proprietary might dissent, and also to their desire to pass laws which it was feared that the Proprietary might dissent to if they were passed as "perpetual laws," as acts unlimited in time were styled. The Acts passed at this session are too numerous to discuss in detail. Most of the laws of a general character were enacted to be in force for a limited period, while practically all the local laws or private acts were passed without limitation of time.

The act providing for the trial in the several counties where the case arose, before two justices of the Provincial Court sitting there, of certain cases which hitherto had been heard only in Annapolis at the Provincial Court, is itself of interest in that the preamble declares that the "Tryal of Facts in the Neighborhood where they arise, is the greatest Security of the Lives, Liberties, Fortunes, and Estates of the Subjects . . . and most agreeable to the British Constitution." Other acts were passed at this session to prevent the smuggling of slaves and servants out of the Province by shipmasters; to prevent the concealment by the finders of boats which had drifted from their moorings; to facilitate the recovery of small debts; to authorize "commissioners to examine witnesses beyond sea and for the easy foreclosure of mortgages"; and for the relief of English creditors in actions against bankrupts in the Province. A law was passed providing for the appointment by the Lord Proprietary of trustees in London to invest the funds of the Province in English bank stock. Similar authority had in the past been granted to the late Proprietary. An act was passed as a special mark of esteem for Governor Sharpe, imposing a duty of halfpenny a hogshead on all tobacco exported as an additional allowance to him; but it is to be noted that the operation of this act was limited to one year, for reasons which seem rather obvious.

Reference to the Appendix (pages 623-631) will show that three acts passed in June 1751 were severely criticized by Charles Pratt, later Lord Camden, to whom they had been referred in 1752 by the guardians of the Proprietary, then a minor, as to whether they should be dissented to or not. One of these involving the title to lots in Princess Anne Town in Somerset County, and another, the act providing "for the more effectual punishment of negroes and other slaves," contained certain questionable provisions. Pratt advised that the

former act be vetoed on the grounds that it deprived the Proprietary of his right to the quit-rents and the benefit of escheat in the lots in question, to which his charter entitled him; but he advised that the latter be allowed to stand although it was worded in a very ambiguous way. It is of interest to note that at this session an act was passed re-establishing any rights the Proprietary might have been deprived of by the act of 1751 just referred to in the land upon which Princess Anne Town was laid out, and another act clearing up the ambiguities in the law relating to the punishment of slaves was also passed.

A number of laws of purely local character and several private acts were as usual passed without restricting the period of their operation. One providing for an addition of thirty-two acres to Baltimore Town, and another which sought to prevent injury to the harbours of Baltimore and Elk Ridge Landing are of interest to local historians. Bog-iron ore, found in considerable quantities in the sand and earth bordering the bay and its estuaries, was mined extensively, and after smelting, was shipped as pig-iron to England to be used in the manufacture of steel. This, next to tobacco, was probably the most profitable item of export trade. These mining operations along the banks of the Patapsco resulted in soil being thrown into the stream whence it was washed down, filling up the channel below. An act was passed at this session of the Assembly "to prevent injuring the Navigation to Baltimore Town and to the Inspecting House at Elk-Ridge Landing on Patapsco River" by such operations. Incidentally it may be stated that Elk Ridge Landing, then accessible to ocean-going vessels and the site of important iron forges, a few decades later was left high and dry by the filling up of the channel below from this and other causes, especially through cultivation of the soil, and, like the town of Joppa on the Gunpowder, practically vanished from the map, while Baltimore was only saved from a similar fate because of its deeper water. An act passed at this session provided for the purchase of a fire engine for Chestertown and the erection of a fire engine house there. Three commissioners were appointed to carry out the terms of the act, the money to be raised by a levy of twenty shillings on each town lot and five pounds to be contributed by Kent County. Three separate acts for the relief of certain debtors, described as usual as "languishing prisoners," were passed.

Two bills passed at this session and approved by Governor Sharpe are of special interest because they were to receive the "dissent" or veto of the Lord Proprietary the next year and to become null and void. These were apparently the last instances of the Proprietary's dissent to laws passed by the Assembly and signed by the governor. One of them, a general law having a three-year limitation as to its operation, was "an act to empower the Courts within this Province to order commissioners to order the examination of wit-



nesses residing beyond sea and for the more easy foreclosure of mortgages." No papers explaining why this act was dissented to by the Lord Proprietary have been unearthed, so further comment is unprofitable, but it was doubtless on legal grounds and on the advice of William Murray, later Lord Mansfield, as it was he who at this time was the legal advisor to Frederick, and upon whose recommendation the act next mentioned was also vetoed.

An act had been passed in 1720 vesting a good title in Richard Bennett in certain lands in Maryland. The Assembly at this 1753 session repealed this earlier act, and under the terms of the repeal ownership in the land was wrested from Bennett Chew, a minor, who had inherited it from Richard Bennett, and vested by the act in another claimant, Thomas Catterall. Reading the voluminous papers in the case reported in the Appendix, the repeal act seems to be a clear case of confiscation of private property by legislative authority without due process of law. Murray in his opinion to the Proprietary, dated November 16, 1754, declares, "I think the Act of Repeal so very bad and unjust upon the Face of it, and so Dangerous an Example, that if no Opposition had been given to it, nor Application made to the Lord Proprietary He ought in Wisdom and Justice, of his own accord, to have dissented thereto, and I apprehend that no more is necessary then to read the two Laws to be fully convinced that the last ought not to stand; nor such a Precedent be endured." It would be interesting to know how such legislation could have passed both houses, especially in view of the fact that Bennett Chew, probably then about eighteen or nineteen years old, was a step-son of no less a person than Daniel Dulany, the elder, and had at the time two influential step-brothers, Daniel Dulany, the younger, and Walter Dulany, in the Lower House.

Acts authorizing the cutting of entails, empowering vestrymen to build and repair churches, appointing visitors to county schools, authorizing the exchange of lands, the laying out of Long Point in Cecil County, the building of county prisons and court houses, and the recovery of moneys from delinquent sheriffs, will be found among the laws passed. The usual act empowering the public printer, Jonas Green, to print the session laws and the Votes and Proceedings of the Lower House for the session was approved. A former act prohibiting the sale of liquors and the holding of horse races near the yearly meetings of the Quakers was further strengthened; and another old act was amended to prevent the sale of strong liquors by persons having no license.

The fourth session of the Assembly elected in 1751, which met February 26, 1754, was called by the Governor to act upon the critical situation which was rapidly developing on the western frontier. Sharpe addressed both houses and transmitted to them a letter from the Lords of Trade and Plantations directed to the governors of the several colonies, urging them to secure the appointment

of commissioners from each colony to attend a conference to be held at Albany for the purpose of renewing the Covenant Chain with the Six Nations of Indians, at which presents were to be presented to the Indians with a view to assuring their firmer adherence to the British cause. With this communication from the Lords were also presented letters to Sharpe from James DeLancey, Governor of New York, enclosing one from the officer commanding at Oswego, one from William Shirley, Governor of New England, and one of even more interest to Marylanders from Governor Robert Dinwiddie of Virginia, asking that Maryland at once send men and supplies to join the Virginia troops at Will's Creek, their rendezvous at the head of the Potomac, with a view to protecting the fort on the Ohio and thus preventing the French from building additional fortifications on that river. With his letter, Dinwiddie enclosed to Sharpe the letter from Legardeur de St. Pierre, the French commandant of the Fort de la Rivière au Beuf on the Ohio, brought back by Colonel George Washington in reply to Dinwiddie's letter ordering the French to withdraw at once from what he declared to be British territory, in which St. Pierre politely, but firmly, refused to abandon the fort. The St. Pierre letter appears in the official proceedings of the Lower House only in its English translation, but from the fact that under the head of "Assembly Affairs" in the *Maryland Gazette* for March 7, 1754, it appears both in French and in translation, it is certain that Dinwiddie transmitted to Sharpe the French version. As far as can be learned this letter is now reproduced in its French form for the first time since it appeared in the contemporary colonial newspapers. It does not appear in French in either the Williamsburg or London editions of Washington's *Journal* which were published soon after his return, nor is the original letter to be found among the Dinwiddie Papers in the Virginia State Library.

Numerous messages then passed between the Governor and the Lower House in which Sharpe urged that provision be made to send commissioners to the Albany Conference with the Iroquois Indians, and that steps be taken to dispatch an expedition to the Ohio to help the Virginians. In one of these messages the Governor states that the report declaring that the Virginians had delayed making a grant was untrue, as ten thousand pounds had just been voted for that purpose. Much to Sharpe's disgust the Lower House, while agreeing to provide for the Albany Conference, refused to make an appropriation for the Ohio expedition, not only on the grounds of its great expense but because they chose to construe the instructions from the Earl of Holderness, received not long since, as forbidding the use of force against the French except in case of actual invasion. A bill was then introduced in the Lower House and passed by it, entitled, "An Act for His Majesty's Service," providing that five hundred pounds be appropriated for the Albany Conference,

the funds to be raised from license fees and fines to be imposed upon hawkers, peddlars and petty chapmen. The Upper House failed to concur on the ground that these fees and fines belonged to the Lord Proprietary "for the support of Government" and insisted upon substituting additional fees derived from licenses on ordinaries. A deadlock resulted, and Sharpe then prorogued the Assembly until May 1st, expressing his great disappointment that no action on this important matter had been taken, and his belief that events in the near future would convince the Lower House of the necessity for immediate action. The Lower House ordered that the rejected bill be printed in its proceedings as evidence of its desire to co-operate with the neighboring colonies in cultivating friendship with the Six Nations. Before adjourning, the Lower House found an opportunity to adopt, by a vote of 41 to 3, the report of its Committee on Grievances, action upon which had been deferred at the last session, in the form of an address to the Governor again calling his attention to the growth of Popery in the Province and the proselyting activities of the Jesuits and other Romanish priests, and urging that His Excellency have a care to appoint only loyal Protestants to office. No legislation of the least importance was transacted at this futile session, only two trivial acts becoming laws.

The fifth session of the Assembly elected in 1751 was opened May 8, 1754, with an address by Governor Sharpe. He again called attention to the further depredations and encroachments of the French upon the Ohio territory, which, he said, without question lay within the British dominions, and his conviction that these hostile acts should remove any doubts on the part of the Lower House that actual invasion had occurred, and convince them of the necessity of immediately assisting the Virginians and the neighboring colonies in an enterprise which they had already entered upon. He also urged the great importance of sending commissioners to the Albany Conference with the Six Nations to be held there in June. The Governor requested the Assembly to cooperate with Pennsylvania by passing a law, as that province had shown an inclination to do, for the punishment of persons who counterfeited the paper currency of other provinces. Prophetic of today was the Governor's suggestion that a remedy be found to reduce "the Excessive charge and burthen this Country is at present Subjected to by the great Increase of Pensioners in Several of Our Counties . . . as the distribution of the great Sums annually collected for the Relief of the poor, as it is now made, instead of being an Encouragement to and a reward for Industry proves too frequently an Incitement only to Debauchery and Idleness." He also recommended the "foundation of a more perfect and more publick Seminary of Learning in this Province: a Scheme, this, long Since put in Execution among our Neighbors to whom our youth are Still obliged, much to the Disadvantage and discredit of this

Province, to recur for a Liberal Education," and intimates that there may be expected from the Lord Proprietary "Something more than his bare approbation of such a Proposal."

William Rasin, sheriff of Kent County, a former member of the Lower House, who resigned before this sitting to accept an appointment as sheriff, was brought before the bar of the house to show cause why he had not returned, as ordered by the House, a writ of election for a delegate from Kent to fill the vacancy. Throwing the blame upon a deputy sheriff, his excuses and submission were accepted, and upon paying £. 2-10-6 for fees and charges due the officers of the house, Rasin, who had been brought before the house by the Serjeant-at-Arms, was discharged.

The Lower House just one week after the session opened, gave favorable consideration to the measures proposed by Sharpe in his message. After debate as to the amount which should be granted to purchase gifts for the Indians and to defray the expenses of the Commissioners to the Albany Convention, the house voted in favor of an allowance of six hundred and fifty pounds as against one of five hundred pounds, which was favored by a minority. Upon the question as to whether three thousand or four thousand pounds current money should be granted "for the Assistance of the Virginians," the smaller amount was decided upon by a 39 to 12 vote. Ways and means of providing the money were then considered. A bill was drawn up in the Lower House to raise the necessary funds by increasing certain existing taxes and placing new ones on carriages and ordinaries, on indentured servants and negro slaves brought into the province, on hawkers, pedlars, and petty chapmen, and on judgments rendered in the Chancery, Provincial and county courts. The Upper House promptly objected to many of the provisions of the bill, and the remainder of this session was taken up with the old struggle between the two houses, the Upper House refusing to acquiesce in the use of money for public purposes derived from sources which they claimed were reserved for the exclusive use of the Proprietary. After many messages had passed between them and several conferences had been held, no agreement was reached, and the bill "for His Majesty's Service" failed of passage. Through its failure the funds necessary to send forces to the Ohio for the "assistance of the Virginians" were not appropriated, but the Assembly, from other funds in the treasury, found six hundred and fifty pounds for the use of the commissioners to the Albany Conference of which five hundred was to be expended upon presents to the Indians and one hundred and fifty used to defray the expenses of the commissioners.

The Albany Conference, which was to have such far-reaching consequences in bringing the colonies into closer cooperation, met there June 19, 1754. The

Maryland commissioners were Colonel Benjamin Tasker, Jr., of the Upper House, a son of Benjamin Tasker, President of the Council, and Major Abraham Barnes of St. Mary's County, a prominent member of the Lower House, who usually voted with the Proprietary party. The proceedings of this conference, now among the State Papers in the Maryland Historical Society, is perhaps the only entirely complete record of the deliberations of this body which has been preserved. Called to consider measures to preserve for the English colonies the friendship of the Iroquois tribes, under the guiding hand of Benjamin Franklin it went afield, and a far-reaching plan was formulated for a continuing co-operation between the colonies, and for future colonial conferences. That this plan failed of formal adoption was of comparatively little importance, for the seeds of common inter-colonial action had been sown, from which later were to emerge the Continental Congress and the union of the colonies.

A bill for "the Security of his Majesty's Dominions, and to prevent the growth of Popery" was introduced and passed in the Lower House by a vote of 32 to 19, the Proprietary party apparently voting solidly against it. This was a scheme to make the Catholics pay the costs of the war. The Upper House promptly rejected the bill. The Lower House then demanded that it be printed in full in the Votes and Proceedings of this body. It is needless to remark that this was in order to give, to what they believed was a popular measure, as wide publicity as possible. The bill provided "for better securing the safety of his Majesty's Dominions" and preventing the perversion of his Protestant subjects by Popish Priests and the resulting danger of the Romanists joining with the French, that a commission of seven members, who were named in the Bill, be appointed to take over and sell all manors or other lands belonging to any Popish priest or Jesuit, or held in trust for them, and apply the proceeds towards securing his Majesty's dominions here against the encroachments of the French. The commissioners named in the bill included one member of the Upper House and six members of the Lower House, who, it is needless to say, were the active leaders of the anti-Catholic element in the Assembly. Before this bill was drawn up the Committee on Grievances and Courts of Justice of the Lower House had brought in a report on certain Catholic activities in St. Mary's County, which had been unanimously adopted. This report declared that a mob of Roman Catholics in St. Mary's County had prevented by violent means the recruiting of men there for the Virginia regiment for service on the Ohio, "had drank the pretender's health" and "Huzzaed for the Tartan Plad and white Cockade." A message from the Governor to the Lower House a few days later said he had taken steps to bring the leaders of the mob guilty of this outrage to justice; and it is to be noted that soon

afterwards the Lower House authorized a reward for the arrest of one of the ring-leaders who had escaped. A bill introduced at this session to prevent the danger arising from the importation of Irish and Scotch convicts, action upon which was deferred, was doubtless also directed against the importation of Catholics.

The Lower House took under consideration the Governor's proposal to establish a "public Seminary" and the diversion of the Provincial funds, now given to the several county schools, to its support. The House by a vote of 38 to 13 decided in favor of the proposal, those recorded against it apparently being entirely of the County party. The Committee on Laws of this house then submitted a report recommending that such a "public Seminary" be erected out of the funds now on hand or due, derived from duties on "Irish Papists servants" and negroes, which had accumulated in the hands of the treasurers of the two shores, from funds to be obtained by the sale of land and property belonging to the county schools, and by the diversion of certain endowments now enjoyed by King William School. It also suggested "that the School-House belonging to King William School, on the Stadt-House Hill in the City of Annapolis, may be converted to some Public Use," an innuendo doubtless full of significance. It was estimated that the seminary could be supported by the duties then levied for the use of the county schools on Irish Papists servants, negroes, pork, pitch, and tar, and from new duties to be imposed on ferries, rum, and wine. Although the committee was directed to bring in a bill "to settle affairs for the establishment of a seminary of learning," for some reason it was laid aside at the end of the session by the close vote of 24 to 23, the Speaker casting the deciding vote. The bill introduced at a previous session changing the method of paying the justices of the county courts by substituting a fee system for the existing allowance of eighty pounds of tobacco a day, was again brought up in the Lower House and was rejected by a close vote of 25 to 23, the members of the Proprietary party and the more conservative members of the County party voting against it. The committee of the Lower House appointed to inspect the arms and ammunition of the province in its reports to the house censured the armourer for his neglect of their care. The Governor in a message excused the armourer on the ground that he had been instructed to devote all his energy to cleaning the arms lately imported into the Province which had fallen into the water before they had been placed in his custody.

The Governor closed the assembly on May 30th with a speech in which he deplored the fact that differences of opinion as to the means of making the necessary provision for defense would prevent the Province from co-operating in the Ohio enterprise, but expressed his satisfaction that steps had at last been

taken to comply with the directions of the Lords of Trade to send commissioners to the Albany Conference. Expressing his belief that full compliance with his wishes would be accorded at their next meeting, he prorogued the Assembly until the third Tuesday in July next.

Few laws were passed at this session. One urged by the Governor to prevent the counterfeiting of the Bills of Credit or paper currency of Pennsylvania, New York, the Jerseys, and Delaware, was enacted. As usual a supplementary act to amend in some particular the important "tobacco law" was passed. Two bills relating to church matters became laws. One of these provided for the repair of the Church at Chaptico in King and Queen Parish in St. Mary's County, and another authorized the erection of a Chapel of Ease at Ivy Hill in Port Tobacco Parish in Charles County. The building of a prison in Frederick Town was ordered. The customary act directing Jonas Green to print the session laws and the Votes and Proceedings of the Lower House was passed.

The Assembly, which had been prorogued by Sharpe until July, met on the 17th of this month upon what was the sixth and last session of the body which had been elected in 1751. Events of such serious import had transpired since its meeting two months before, that further delay in making provision for the inevitable conflict with the French seemed impossible, and it was in this spirit that the Governor addressed them. Two weeks before the Assembly met, surrounded by an overwhelming force, Washington in command of the Virginia troops had been obliged to surrender at Great Meadows with his entire force, although he and his men were allowed to retire with the honors of war. The French and Indians were now in control of the entire western frontier. The settlers were in terror and frantic appeals for help were pouring in to the governors of Maryland and Virginia. Sharpe, in his opening speech, reminded the Assembly that there could now be no question of actual invasion of their borders by the French and their savage allies, and that in view of the total defeat of the Virginia troops under Colonel Washington, as a duty to their neighbors and for their own self-respect and protection, immediate compliance must be made with the instructions contained in the letter of the Earl of Holderness. He also informed them that he had already dispatched arms to Frederick and ammunition for the use of the North Carolina troops under Colonel Inness. He urged the Assembly to raise immediately a fund for military purposes, as the money for the purchase of arms in the hands of the two treasurers was nearly exhausted, and that it was also necessary to make provision for raising a force of militia. The Lower House at once prepared a bill entitled "An Act for his Majesty's Service" for the purpose of raising six thousand pounds current money, which was agreed to by the Upper House and promptly passed. After reciting in the preamble the depredations of the French in the inhabited parts

of Virginia on the borders of Maryland and the attack upon Washington's force, the bill provided that the money was to be expended by the Governor for the defence of Virginia and his Majesty's dominions, and for the support and relief of the wives and children of the Indian allies; that the funds for this purpose be raised by licenses imposed on, and fines collected from, hawkers, pedlars, and petty chapmen, by taxes on coaches, chairs, chaises, and chariots, by duties on servants, slaves, and wine imported, and by an additional tax on ordinaries. It will be recalled that the disposition of the license fees collected from the keepers of ordinaries and from hawkers, pedlars, and petty chapmen, and the fines imposed upon them, had been a bone of contention between the two houses in recent sessions and had hitherto prevented the passage of an adequate defense measure. At the 1752 session the Upper House had rejected the bill because the Lower House insisted that the license fees and fines from hawkers, pedlars, and petty chapmen should go to the support of county schools instead of to "the support of the government," or as the public said, into his Lordship's pocket. At the two previous sessions of 1754 and at the 1753 session the Upper House refused to assent to a bill "for his Majesty's service" because the license fees from the same sources were to be used for other purposes than for "the support of government." The action of the Upper House at this session in reversing its former attitude is to be looked upon not only as a victory for the Lower House but as a blow to a prerogative hitherto regarded by the Proprietary as sacred. It is interesting to note that the Governor and Council at a meeting held, July 24, 1754, warned the Proprietary that it would be advisable in the present emergency to permit the licenses from ordinaries to be used for purposes of defense (*Arch. Md.*, xxxi, 38). A vote taken in the Lower House as to whether an additional source of revenue for defense might be provided by a special tax upon persons refusing to "take the oaths to the government," a movement of course directed at the Roman Catholics, was defeated by a vote of 26 to 12, the more conservative of the County party voting with the Proprietary group.

The "act for his Majesty's Service" was the only new legislation passed at this session, although eleven other acts were passed continuing in operation for an additional three year period laws which were about to expire due to similar time limitations, but these laws need not be severally referred to here.

The Governor presented to each house acknowledgments from Frederick, the Lord Proprietary, to their respective addresses congratulating him upon his coming of age and his marriage, and in his letter to the Lower House he promised to lay before his Majesty's Board of Trade and Plantations, their petition in regard to the importation, without restriction, of salt from foreign countries. Sharpe closed the session, which was to be the final meeting of the



Assembly elected in 1751, with a speech in which he expressed his appreciation of the confidence shown him in thus entrusting him with the expenditure of the money that had been appropriated, but regretted that they had not followed his other recommendations, doubtless a reference to the fact that nothing had been done toward recruiting a militia. He then declared the Assembly prorogued until the last Tuesday of the following November. But the same body was not destined to meet again. Doubtless in the hope of obtaining one more amenable to his wishes, Sharpe who had gone to Virginia immediately after the adjournment of the Assembly, wrote from there to the Council suggesting the advisability of dissolving the present Assembly and calling together a new one. The Council accordingly, at a meeting held on October 30th, directed that writs for a new election be issued.

The new Assembly met December 12th and was soon to show that it was fully as stubborn as its predecessor. The Lower House organized by electing Henry Hooper of Dorchester County, a prominent member of the County party, as their speaker; selected their clerk, serjeant-at-arms, doorkeeper, and chaplain, and adopted the form of oath which each should take; appointed the members of the various standing committees, and adopted rules for their own government. A few new names are to be found in the Lower House but the great majority of members had served in the last Assembly and the committee assignments were much the same.

The Governor's opening speech, calling attention to the further encroachments of the French and the extension of their chain of garrisons, and urging speedy and vigorous measures, was of a similar tenor to his former addresses. But he had further news to report which he doubtless believed would appeal to their pride and stimulate them to further action. He transmitted to both houses the commission from George II, dated Kensington, July 25, 1754, appointing him Lieutenant-Colonel of Foot of the West Indies, and a letter from Sir Thomas Robinson, one of his Majesty's Secretaries of State, ordering him to assume command of the combined British forces in America assembled to oppose the hostile attempts of the French, and directing him to act in concert with Governor Dinwiddie of Virginia to whom further instructions and a considerable sum of money had been sent. Sharpe also presented to the Assembly, instructions from the Lord Proprietary directing him to observe diligently all orders implied in His Majesty's commission, assuring him that any absence from the Province on this service should in no wise invalidate his commission as Lieutenant-Governor, and notifying him that during his absence the powers of government should be exercised by the President of the Council. He further directed the Governor that he should "in the most Serious & earnest manner recommend it to the Good People of my said Province that

they do . . . most heartily co-operate with his Majesty and their Neighboring Governments by granting such effectual Supplies and prosecuting such Vigorous Measures against the Common Enemy," as necessity required.

Primed for a struggle with the Proprietary forces as represented by the Governor and the Upper House, the Lower House proceeded to adopt a series of resolves, or declarations of principles, which had been in great part previously adopted at the October 1722 Assembly, which were ordered to be entered on the Journal (*Arch. Md.*, xxxiv, 440, 441, 442). By these resolves the Committee on Grievances and Courts of Justice, as part of its duty, was directed to scrutinize carefully all new commissions to judges of the several courts of the Province and the forms of oath to be taken by them; to see that no alterations or omissions were made in their wording under which they were required to try and determine cases "according to the Laws, Statutes, Ordinances, and reasonable Customs of England, and of this Province"; and they were further to see to it that a similar oath of office to that made by judges in England should be taken in this Province, which shall specifically declare that they will administer justice without delay to rich and poor notwithstanding any "Letters of the King, the Lord Proprietary, or of any other" to the contrary. It was further declared "That this Province is not under the Circumstances of a conquered Country; that if it were, the present Christian Inhabitants . . . would be . . . not of the Conquered, but of the Conqueror, it being a Colony of the English Nation," nor are the native Indian infidels to be looked upon as conquered "because the Christian Inhabitants purchased great part of the Land they at first took up from the Indians, as well as from the Lord Proprietary." The resolution further asserted that "this Province hath always hitherto had the Common Law, and such general Statutes of England, as are securitative of the Rights and Liberties of the Subject, and such Acts of Assembly as were made in the Province to suit it's particular Constitution," and that in no case should commissions to judges be issued without directions of that nature. The resolves concluded with a protest against a grievance not mentioned in the resolution of 1722, but which in recent years had perhaps rankled more than any other. This related to the export duty upon tobacco shipped out of the Province, all of which went to the Proprietary. The Lower House declared that the levying of twelve pence sterling upon every hogshead of tobacco, and its appropriation by the Proprietary to himself under the act of 1704, was not warranted by law, because it was their conviction that the law terminated when the Province was returned to the Calverts in 1715; but even if it be asserted that the law had continued in force since their restoration, then agreeable to the instructions of Queen Anne, when the act was admittedly in operation, under which she directed that threepence out of the twelve pence be applied to the purchase

of arms and ammunition for the defence of the Province, this threepence by right should be still so applied. It was felt by the people at large that if threepence of this export duty on tobacco were devoted to defence, further taxation for this purpose would be unnecessary.

After the adoption of these resolutions the Lower House proceeded to congratulate Sharpe upon his appointment by the King as Commander-in-Chief, and expressed their pleasure that the Lord Proprietary had granted him temporary leave of absence from the Province in order to execute the King's commands. They also expressed the hope that "the issue of the resolution will meet your approbation." A bill was then prepared in the Lower House entitled "An Act for raising a supply towards His Majesty's Service" under which an additional seven thousand pounds current money was appropriated for purposes of defence, to be derived from taxes imposed under the terms of the law passed in the previous July, "An Act for His Majesty's Service." This was passed in the Lower House and rejected by the Upper House, but there seems to have been no interchange of messages on this occasion between the two houses explaining just why it was rejected, as it was known that the Proprietary had so directed the Governor. The Lower House then ordered that the bill be printed in full in their Proceedings, and requested that the Governor adjourn the Assembly. The Assembly, however, before adjourning did pass a militia bill, entitled "An Act for obtaining able bodied men for his Majesty's Service," under which "all and every able bodied freeman who live idle and do not follow or exercise some lawful Calling or Employment, or have not some other visible and lawful Support and Maintenance" may be seized and enlisted as soldiers. An interesting provision was incorporated that those maimed or wounded in the service should be supported at public expense; and the act exempted from draft persons who are eligible to vote in the elections for members of the General Assembly, as well as debtors. No other laws were passed at this session. Sharpe closed the session December 24th with a speech in which he expressed his "surprise and Concern at being requested to put an end to this session before you have in the least degree satisfied the expectations that your several addresses presented soon after the opening thereof had raised in me and I presume in every one who might have had an opportunity of seeing them." He expressed the hope that they would "endeavor to convince your constituents of the necessity of their permitting you to contribute without any further hesitation to prevent the Success of the fatal Scheme which our Common Enemy is now preparing," and thereupon prorogued them until the fifteenth day of January following, although they were later prorogued again until February twenty-second.

No attempt has been made in this summary of Assembly Proceedings to present other than a mere outline of some of its more important activities. Especial emphasis has been laid upon matters of political and economic importance which resulted in increasing friction between the people and the Proprietary until the final break came. Taxation and privilege in its various forms were largely responsible for the rift between them, a rift which began to widen rapidly during the years covered by this volume. To these must be added another factor, more personal in character. All the evils inherent in non-resident landlordism were to be found in the relations which developed between Frederick, the Proprietary, and the people of his Province. Selfish, frivolous, and with little or no feeling of responsibility towards the people of Maryland, he not only did not take the trouble to visit it and establish personal contact with its people, but completely ignored the advice of the level-headed Sharpe to make voluntarily, concessions which an indignant people later forced from him. To understand properly the trouble between the Lower House and the Proprietary, as represented by the Upper House and the Governor, it is also necessary to examine the Proceedings of the Council and the Sharpe Correspondence for the period, where we find disclosed the motives and policies of the Proprietary government. It is obvious that the conflict of interests between people and Proprietary was responsible for a condition of the public mind which in the next decade was to render it especially intolerant of the measures employed by the British Government that brought about the American Revolution.

In the preparation of the material for this volume the editor has had some assistance from Miss Lucy Harwood Harrison in transcribing certain portions of the copy, which for various reasons were not made by photostatic reproductions of the original manuscript. He is glad that Miss Harrison, who has just resigned as a member of the staff of the Maryland Historical Society after half a century of service, has had a hand in the preparation of this, the fiftieth volume, as she has had in the case of its forty-nine predecessors. The carefully prepared index is the work of Miss Elizabeth Mann.

The next volume of the *Archives* will contain the Proceedings of the Court of Chancery from 1669, when its records were first kept separately from the Proceedings of the Provincial Court, down to the year 1684, covering the period embraced in the first old liber of the Chancery Court series.

Respectfully submitted,

SAMUEL K. DENNIS,

J. HALL PLEASANTS,

JOHN M. VINCENT,

*Committee on Publications.*

PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, June 3-June 23, 1752.  
Being the Second Session of the Assembly Elected in 1751.*

FREDERICK CALVERT, LORD BALTIMORE,  
*Lord Proprietary.*

BENJAMIN TASKER,  
*President of the Council and Acting Governor.*



# PROCEEDINGS

## OF THE

### UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Wednesday the 3<sup>d</sup> day of June in the Second Year of his Lordships Dominion Annoq. Domini 1752.

U. H. J.  
Liber No. 34  
1752, June 3

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Present

The Honourable Benjamin Tasker Esq.<sup>r</sup> President

The Honourable	{	Edmund Jenings Esq. <sup>r</sup> Cof Charles Hammond Samuel Chamberlain Esq. <sup>r</sup>	}	Daniel Dulany Esq. <sup>r</sup> Cof Benjamin Tasker Benedict Calvert Esq. <sup>r</sup>
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Mess<sup>rs</sup> Harrison and Sullyvan from the Lower house acquaint his Honour that there is a Sufficient Number of Members met to make a house and wait his Honours Commands.

Cof Hammond and Samuel Chamberlain Esq.<sup>r</sup> are Sent to the Lower house to acquaint the Speaker that his honour requires their immediate attendance in the Upper house.

The Lower house attend and his Honour is Pleased to make the following Speech

Gentlemen of the Upper and Lower houses of Assembly

The Administration of this Government devolving upon me, by the Death of Our late Governor, obliges me to call you together that We may consider what Laws are near expiring and which of them it is the Interest of the Country to continue longer. Although I am conscious that my own abilities are much inferior to those of the Worthy Gentleman We have lost, Yet as I am under all the Ties of Nature and Interest to promote the happiness of Maryland as far as I possibly [can], So I flatter my Self that with your Advice & Concurrence/upon which I shall always rely/We shall be able in good Measure to avert the ill Consequences of the Great loss We have lately Sustained; and I know no better means to crown Our Endeavours for that desireable End than Unanimity & Harmony among ourselves in carrying on the publick Business with dispatch and with as little Expence to the Country as Possible

Mess<sup>rs</sup> Pearce and Williamson from the Lower house Attend with Mess<sup>rs</sup> Gresham and Rasin two of the Members returned for Kent County and with Mess<sup>rs</sup> Govane and Franklin & Buchanan three of the Members returned for Baltimore County to See them

U. H. J. Qualified who takes the Several Oaths to the Government required  
 Liber No. 34 by Law repeats the abjuration and Test and then withdraws  
 June 3 Adjourned till 3 of the Clock in the Afternoon

p. 407

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess<sup>rs</sup> Wootton and Addison from the Lower house attend with  
 M.<sup>r</sup> George Frazer a Member returned for Prince Georges County  
 to See him qualified who takes the Several Oaths to the Government  
 required by Law repeats and Subscribes the Abjuration and Test  
 and then withdraws

Adjourned till to Morrow Morning ten of the Clock

June 4

Thursday Morning 4th June 1752.

This house met again according to Adjournment

Present as Yesterday

Mess<sup>rs</sup> Buchanan and Franklin from the Lower house attend with  
 M.<sup>r</sup> Charles Ridgley a Member returned for Baltimore County to  
 See him Qualified who takes the Several Oaths to the Govern<sup>t</sup>  
 required by Law repeats & Subscribes the Abjuration & Test and  
 then withdraws.

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas  
 Esq.<sup>r</sup>

Adjourned till to Morrow Morning ten of the Clock

June 5

Friday Morning 5<sup>th</sup> June 1752.

This house met again according to Adjournment.

Present as Yesterday

Edmund Jenings Esq.<sup>r</sup> attended by the Members of this House  
 presents to his Honour their Address which follows in these Words  
 To the Honourable Benjamin Tasker Esq.<sup>r</sup> Presid.<sup>t</sup> & Commander  
 in Chief of the Province of Maryland

The Humble Address of the Upper house of Assembly  
 May it please Your honour

We return you our hearty thanks as well for your obliging Speech  
 at the opening of this Session as for giving us this Opportunity of



considering which of our Temporary Laws it is the Interest of our Country to continue longer.

U. H. J.  
Liber No. 34  
June 5

We are very Sensible of the Obligations you are under to promote the happiness and welfare of your Native Country, and We are too well acquainted with you not to know that your own Inclinations will be a further Motive to you to discharge the Trust Reposed in you with Honour to yourself and the Greatest regard to the true Interest of Maryland. p. 408

We agree with you that the best means of Averting the ill Consequences of the Great loss We have Sustained in the death of our most worthy Governor/which we Sincerely lament/will be Unanimity and Harmony among ourselves in carrying on the Publick Business with dispatch and as little Expence to the Country as Possible, and we assure you that nothing on our part shall be wanting to that End.

Signed p Order John Ross Ct Up H.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Co<sup>t</sup> Edward Lloyd.

The President is pleased to communicate his answer to the Address of this house, which answer is as follows  
Gentlemen of the Upper house of Assembly

I Sincerely thank you for Your Very obliging Address, Nothing will give me more pleasure than to See the business of the Country So happily begun carried on with Dispatch and as little expence to the Publick as possible

Benj<sup>a</sup> Tasker

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 6th June 1752.

June 6

This house met again according to Adjournment

Present as Yesterday with the Addition of Co<sup>t</sup> George Plater

A Bill from the Lower house by Mess<sup>rs</sup> Wooton & Lee Entitled an act for the Speedy Recovery of Small debts out of Court before a Single Justice of the Peace thus Endorsed

By the Lower house of Assembly 5<sup>th</sup> June 1752.

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

U. H. J.  
Liber No. 34  
June 6

By the Lower house of Assembly 6<sup>th</sup> June 1752.

Read at the Second time & will pass.

Signed p Order M. Macnemara Cl Lo H.

Read the first time in this house and Ordered to lye on the Table

A Message from the Lower house by Mess<sup>rs</sup> Harrison & Govane

By the Lower house of Assembly 6 June 1752

May it please your Honours

p. 409 This house hath appointed Major Barnes Captain Bond Cof  
Harrison M<sup>r</sup> Walter Dulany and Captain Lee a Committee to  
Inspect the Accounts and proceedings of the Commissioners for  
emitting Bills of Credit established by Act of Assembly and desire  
your Honours to appoint one or more of your House to Join in  
the said Committee

Signed p Order M Macnemara Cl Lo H.

Adjourned till Monday Morning ten of the Clock

June 8

Monday Morning 8th June 1752.

This house met again according to Adjournment

Present

The Honourable	{	Cof George Plater	}	Cof Edward Lloyd
		Cof Charles Hammond		Cof Benjamin Tasker
		Samuel Chamberlain Esq. <sup>r</sup>		Benedict Calvert Esq. <sup>r</sup>
		Daniel Dulany Esq. <sup>r</sup>		

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Edmund Jenings  
& Richard Lee Esq.<sup>r</sup>

The following Message is Sent by Benedict Calvert Esq.<sup>r</sup>

By the Upper house of Assembly 8<sup>th</sup> June 1752.

Gentlemen

This house hath appointed Richard Lee Esq.<sup>r</sup> to join the Members  
named by Your House in a Committee to Inspect the Accounts and  
proceedings of the Commissioner of the Paper Currency Office

Signed p Order John Ross Cl Up H.

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning the 9<sup>th</sup> June 1752.

U. H. J.  
Liber No. 34  
June 9

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess<sup>rs</sup> Waggaman and Govane Ent.<sup>d</sup> an Act to prevent disabled and Superannuated Slaves being Set free or the Manumission of Slaves by any last Will & Testament, thus Endorsed

By the Lower house of Assembly 5<sup>th</sup> June 1752

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 9<sup>th</sup> June 1752.

Read the Second time & will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

p. 410

This House met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esq.<sup>r</sup>

Read the Petition of the Owners of Lotts in Chester Town in Kent County Praying that the Sum of Twenty Shillings a Piece may be Levied on the Owners of the Lotts in the said Town to be laid out in procuring Proper fire Engines for the Use of the said Town; and the Petition of Several of the Inhabitants of Kent County praying the continuance of the Law for destroying Crows Foxes and Squirrels in the said County; Referred to the Consideration of the Lower house of Assembly & Sent by Rich<sup>d</sup> Lee Esq.<sup>r</sup>

Read the Petition of the Justices of Kent County Praying that Hugh Wallis may be obliged to build a wharff & erect a Cran Adjoyning to the Warehouse at the end of the Main Street in Chester Town in the said County; The Petition of Sundry the Inhabitants of Baltimore County Praying that thirty two acres of Land lying on the West Part of Baltimore Town may be laid out into Lotts and Added to the said Town; The Petition of the Freeholders of King George and Pamunkie hundreds in the Lower parts of King George Parish in Prince Georges & Charles Counties Praying that all that part of King George Parish lying below Piscattaway Branch may be erected into a Parish and that part of Portobacco Parish may be Added thereto; The Petition of the Freeholders of the Upper part of Portobacco Parish in Charles County Praying that all that Part of the said Parish lying between Mattawoman Main Branch and the Oldwomans Branch to the head

U.H.J. thereof and from thence by a Line to the Line of King George  
 Liber No. 34 Parish where it intersects the dividing Line of Charles County  
 June 9 may be Added to the New Parish prayed for by the Freeholders  
 of the Lower part of King George Parish and the Petition of  
 Mary Wilson of Kent County Widow & Executrix of George  
 Wilson late of the same County Deceased Praying that a Bill may  
 be brought in to Secure Twenty Acres of Land in the said County  
 and a Water Mill thereon built to her & her Assigns; Rejected

Adjourned till to Morrow Morning ten of the Clock

June 10

Wednesday Morning 10<sup>th</sup> June 1752

This house met again according to Adjournment.

Present as Yesterday

Read the Petition of Sundry Inhabitants of Worcester County  
 Praying a Bill may be brought in to prevent Hunting in the Woods  
 Pastures & and Inclosures after Wild Deer with Hounds & Cur  
 Dogs, and the Petition of the Inhabitants of George Town in  
 Kent County Praying a Bill may be brought in to prevent Hogs &  
 Geese Runing at large in the said Town, Referred to the Considera-  
 p. 411 tion of the Lower house of Assembly and Sent by Daniel Dulany  
 Esq<sup>r</sup>.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Benjamin Young  
 Esq<sup>r</sup>.

Adjourned till to Morrow Morning ten of the Clock

June 11

Thursday Morning 11<sup>th</sup> June 1752.

This house met again according to Adjournment

Present as Yesterday

Two Bills from the Lower house by Mess<sup>rs</sup> Bond and Mills one  
 Entitled an Act for Tryal of all matters of fact in the Several  
 Counties where the[y] have Arisen or shall arise; and the Bill En-  
 titled an Act directing the former Sheriffs of the Several Counties  
 within this Province their Executors or Administrators to Account  
 with the Justices of the Several County Courts for the Tobacco  
 therein mentioned; thus Endorsed

By the Lower house of Assembly 9th June 1752.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 11<sup>th</sup> June 1752

U. H. J.  
Liber No., 34  
June 11

Read the Second time and will pass

Signed 7<sup>p</sup> Order M Macnemara C<sup>t</sup> Lo H.

Read the first Time in this House and Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Petition of the Rector Vestrymen and Churchwardens of the Parish of S<sup>t</sup> James's in Ann Arundel County Praying the bounds may be Settled between their Parish and the Parish of Alhallows. Rejected

Adjourned till to morrow morning ten of the Clock

Friday Morning 12 June 1752.

June 12

This House met again according to Adjournment

Present as Yesterday Except Co<sup>t</sup> Lloyd Co<sup>t</sup> Hammond & Philip Thomas Esq.<sup>r</sup>

Read the Petition of Nathan Hammond Sheriff of Ann Arundel County Praying a wall may be brought in to Raise the Walls of the Publick Prison four or five feet higher than they are at present; and the Petition of the Rector Vestrymen and Churchwardens and others Inhabitants of S<sup>t</sup> Johns Parish in Baltimore County Praying leave to bring in a Bill to Assess the Parishioners of the said Parish with a Sum of Current Money to build a Chappel of Ease and other purposes therein mentioned; Referred to the Consideration of the Lower house and Sent by Samuel Chamberlain Esq.<sup>r</sup> p. 412

Read the Second time the Bill Entituled an Act to prevent disabled and Superannuated Slaves being Set free or the Manumission of Slaves by any Last Will and Testament and will Pass with the following Amendments, the words, from and after the first day of September next, to be left out, in the 12<sup>th</sup> Line of the 3<sup>d</sup> Page between the words, that, & such, insert the following words, such Deed and writing be not in prejudice of Creditors and that, Sent to the Lower house by Edmund Jenings Esq.<sup>r</sup>

Two Bills from the Lower house by Mess<sup>rs</sup> Harrison and Ridgley One Entituled an Act empowering the Justices of the County Courts within this Province to lay and assess on the Taxable Inhabitants of their Countys such necessary Charges as have arisen or shall arise on the Special Commissions of Oyer and Terminer and Goal

U. H. J. Delivery for their s<sup>d</sup> Counties; and A Bill Entituled an Act to License  
 Liber No. 34 Hawkers Pedlars and Petty Chapmen; thus Endorsed,  
 June 12

By the Lower house of Assembly 8<sup>th</sup> June 1752

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo. H.

By the Lower house of Assembly 12 June 1752

Read the Second Time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

Read the Second time the Bill Entituled an Act directing the former Sheriffs of the Several Counties within this Province their Executors or Administrators to Account with the Justices of the Several County Courts for the Tobacco therein mentioned, and will pass with the following Amendments; Leave out the Preamble to the Bill & the word, thereof, in the 5<sup>th</sup> Line, and the word, aforesaid, in the 8<sup>th</sup> Line and insert the following words, and a deduction of one fourth Part of the whole as in Cases of Small Debts being made to the said Sheriffs; after the word thereof in the 11<sup>th</sup> Line, Sent to the Lower house by Benedict Calvert Esq.<sup>r</sup>

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

June 13

Saturday Morning 13<sup>th</sup> June 1752

This house met again according to Adjournment

Present as Yesterday except Richard Lee Esq.<sup>r</sup>

p. 413

Adjourned till Monday Morning ten of the Clock

June 15

Monday Morning 15<sup>th</sup> June 1752.

This house met again according to Adjournment

Present

The Honourable	{	Cot George Plater	}	Cot Benjamin Tasker
		Samuel Chamberlain Esq. <sup>r</sup>		Benedict Calvert Esq. <sup>r</sup>
		Daniel Dulany Esq. <sup>r</sup>		

Read the Petition of Peter Bayard and others Praying that a Bill may be brought in to establish a writing as the last Will & Testament of James Bayard of Cecil County deceased altho the said writing

was never Subscribed by the said Bayard nor formerly Published by him as his will. Rejected

U. H. J.  
Liber No. 34  
June 15

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Edmund Jenings Esq.<sup>r</sup>

Read the Second time the Bill Entituled an Act for the Speedy Recovery of Small Debts Out of Court before a Single Justice of the Peace and the Bill Entituled an Act for the Tryal of all matters of fact in the Several Counties where they have arisen or shall arise, and will not pass. Sent to the Lower house by Col Tasker.

Read the Second time the Bill Entituled an Act empowering the Justices of the County Courts within this Province to lay and assess on the Taxable Inhabitants of their Counties such necessary charges as have arisen or shall arise on Special Commissions of Oyer and Terminer and Goal delivery for their said Counties and will Pass Provided the Same Allowances be made to the Judges Prosecutor Officers Witnesses and Jurors as are made to the same Persons attending the Provincial Court; Sent to the Lower house by Benedict Calvert Esq.<sup>r</sup>

The following Message is Sent to the Lower house by Samuel Chamberlaine Esq.<sup>r</sup>

By the Upper House of Assembly 15<sup>th</sup> June 1752.

Gentlemen

This house hath appointed Samuel Chamberlain Esq.<sup>r</sup> to Joyn the Members named by Your house in a Committee to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office in the Room of Richard Lee Esq.<sup>r</sup> heretofore named for that purpose the Sickness of whose family has obliged him to be absent for some time this Session

Signed p Order John Ross Ct Up H.

Two Bills from the Lower house by Mess<sup>rs</sup> Barnes & Edmonson One Entituled an Act to prohibit the Raising of Swine in the Town of Bladensburgh in Prince Georges County; And A Supplementary Act to an Act for quieting Possessions enrolling Conveyances & Securing the Estates of Purchasers both thus Endorsed

p. 414

By the Lower house of Assembly 11 June 1752

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 15 June 1752.

Read the Second time and will pass

Signed p Order M Macnemara Ct Lo H.

U. H. J. Read the first time in this house and Ordered to lye on the Table  
 Liber No. 34 June 15 Two Bills from the Lower house by Mess<sup>rs</sup> Bond & Gresham  
 One Entituled an Act for Relief of Such Persons as cannot find Surety for their appearance to Testify as a Witness against any Person arrested accused or prosecuted for any Criminal Matter and an Act Entituled an Act Continuing Entituled an Act continuing an Act Entituled an Act for the Speedy and Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer, both thus Endorsed.

By the Lower house of Assembly 13 June 1752

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 15 June 1752

Read the Second time & will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table  
 Adjourned till to Morrow Morning ten of the Clock

June 16

Tuesday Morning 16th June 1752.

This house met again according to Adjournment

Present as Yesterday with the Addition of Co<sup>t</sup> Charles Hammond

Read the Second time the Bill Entituled an Act to License Hawkers Pedlars and Petty Chapmen, and will pass, with the following Amendments, the words, five, in the Eighth Line of Second Page being made, Ten, instead of the words, Such Suit or Prosecution in 3<sup>d</sup> line of the 4<sup>th</sup> Page, put, the, fact Charged, instead of the words, to the Clerk of the Council for the Time being who is, put, the Treasurer or Treasurers for the Time being who are, in the 2<sup>d</sup> Line of the 3<sup>d</sup> Page instead of the words, to be applyed toward defraying the Charge of the County where such prosecution shall be had, put, to his Lordship for Support of Government, in the 6<sup>th</sup> Line of the Last Page instead of the words, according to the directions of the General Assembly of this Province for defraying the Publick Expence thereof put, to be paid to his Lordship his heirs and Successors for Support of Government; Sent to the Lower house by Samuel Chamberlaine Esq.<sup>r</sup>

p. 415

Three Bills from the Lower house by Mess<sup>rs</sup> Murdock & Barnes  
 One Entituled an Explanatory to the Act Entituled an Act for the Ease of the Inhabitants of this Province in examining Evidences relating to the bounds of Lands and in the Manner of obtaining Injunctions; An Additional and Supplementary Act to the Act Entituled an Act for the better Administration of Justice in Testamentary Affairs granting Administrations Recovery of Legacies



Securing filial Portions and distribution of Intestates Estates; and an Act directing the manner of punishing Fornication and Adultery before a single Justice of the Peace out of Court thus Endorsed,

U. H. J.  
Liber No. 34  
June 16

By the Lower house of Assembly 13<sup>th</sup> June 1752

Read the first time and Ordered to lye on the Table

Signed 7<sup>p</sup> Order M Macnemara C<sup>t</sup> Lo H.

By the Lower house of Assembly 16 June 1752.

Read the Second Time and will pass

Signed 7<sup>p</sup> Order M Macnemara C<sup>t</sup> Lo H.

Read the first time in this house and Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time the Bill Entituled A Supplementary Act to an act Entituled an Act for quieting Possessions enrolling Conveyances and Securing the Estates of Purchasers; An Act for the Relief of such Persons as cannot find Surety for their Appearance to Testify as a Witness against any Person arrested accused or Prosecuted for any Criminal Matter; and an Act Continuing an act Entituled an Act continuing an Act Entituled an Act for the Speedy & Effectual publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer, and will pass, Sent to the Lower house by Daniel Dulany Esq.<sup>r</sup>

Five Bills from the Lower house by Mess<sup>rs</sup> Bond and Handy, One Entituled An Act continuing an Act for the more Effectual destroying of Squirrells and Crows in the Counties of Kent Queen Anns & Talbot and for destroying Red foxes in the said Counties an Act to Prohibit the raising of Swine and Geese in George Town in Kent County; An Act continuing an Act Entituled an Act for Ascertaining the Allowance of Grand & Pettit Jurors attending the Provincial Court to limit Costs with respect to Witnesses & for Settling their Allowance as to Itinerant charges; An Act for issuing Writts of Replevin out of the County Courts of this Province; and an Act for the destroying of Squirrells and Crows in the Several Counties therein mentioned, thus Endorsed

p. 416

By the Lower house of Assembly 13 June 1752

Read the first time and Ordered to lye on the Table

Signed 7<sup>p</sup> Order M Macnemara C<sup>t</sup> Lo H.

By the Lower house of Assembly 16. June 1752.

Read the Second time and will pass

Signed 7<sup>p</sup> Order M Macnemara C<sup>t</sup> Lo H.

U. H. J.  
Liber No. 34  
June 16

Read the first Time in this house and Ordered to lye on the Table  
A Bill from the Lower house by Mess<sup>rs</sup> Crabb & Gant Entituled  
an Act to prevent the Setting the Woods in fire, thus Endorsed.

By the Lower house of Assembly 13 June 1752

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 16th June 1752.

Read the Second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

Read the first Time the Bill prepared in this house Entituled An  
Act for the Better Security of purchasers & Creditors, & Ordered  
to lye on the Table.

Adjourned till to Morrow Morning ten of the Clock

June 17

Wednesday Morning 17th June 1752

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess<sup>rs</sup> Sullyvan & Govane En-  
tituled an Act to oblige Attornies to prove their Lists of fees before  
they deliver them to the Sheriff or any other Person for Collection  
thus Endorsed

By the Lower house of Assembly 15 June 1752.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 16 June 1752

Read the Second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time the Bill Entituled an Act for the better  
Security of Purchasers and Creditors, Passed & Sent to the Lower  
house by Edmund Jenings Esquire

p. 417 Read the Petition of Thomas Cottrell of Frederick County Praying  
that a Bill may be brought in to Repeal the Act of Assembly  
made in favour of Richard Bennett Esq.<sup>r</sup> for a Moiety of a Tract of  
Land called Turkey Point and the Negroes and Stock belonging to

the Estate of Thomas Robinson, & if any Account should Appear against the Estate of the said Robinson the Petitioner is willing to allow shuch as Shall be Adjudged Lawfull Referred, to the consideration of the Lower house of Assembly and Sent by Benedict Calvert Esq.<sup>r</sup>

U. H. J.  
Liber No. 34  
June 17

Read the Petition of the Rector Vestrymen and Churchwardens of Trinity Parish in Charles County Praying 55000 pounds of Tobacco may be Levied on the Taxable Inhabitants in the Years, 1752, 1753, 1754 towards building a Church in the said Parish; The Petition of the Proprietor and Principal Inhabitants of Charles Town in Charles County praying a Bill may be brought in to prevent Wooden Chimneys in the said Town and to prevent raising Swine and Geese therein Referred to the Consideration of the Lower house of Assembly & Sent by Col Tasker

Read the Second Time the Bill Entituled an Act for destroying Squirrels and Crows in the Several Counties therein mentioned; The Bill Entituled an Additional Supplementary Act to the Act Entituled an Act for the better Administration of Justice in Testamentary Affairs Grandind Administrations Recovery of Legacies Securing of Filial Portions and distribution of Intestates Estates; The Bill Entituled an Act for the more Effectual destroying of Squirrels and Crows in the Counties of Kent Queen Anns and Talbot and for destroying Red Foxes in the said Counties; The Bill Entituled an Act directing the manner of Punishing Fornication and Adultery before a single Justice of the Peace out of Court; The Bill Entituled an Act for Ascertaining the Allowance of Grand and Petit Jurors Attending the Provincial Court to limit Cost with Respect to Witnesses and for Settling their Allowance as to Itinerant Charges: passed and sent to the Lower house by Daniel Dulany Esq.<sup>r</sup>

A Bill from the Lower house by Mess<sup>rs</sup> Daniel Dulany & Key Entituled an Additional Supplementary Act to an Act Entituled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees thus Endorsed

By the Lower house of Assembly 17th June 1752

Read the first and Second time by Special Order and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first Time in this house and Ordered to lye on the Table Adjourned till to Morrow Morning Ten of the Clock

p. 418

Thursday Morning 18<sup>th</sup> June 1752.

June 18

This house met again according to Adjournment.

Present as Yesterday with the Addition of Col Edward Lloyd.

A Bill from the Lower house by Mess<sup>rs</sup> Smallwood & Bond Entitled an Additional Supplementary Act to an Act Entitled an Act

U. H. J. for the appointing of Constables and what Relates to their Office  
 Liber No. 34 and ascertaining what Persons are Taxable thus Endorsed  
 June 18

By the Lower house of Assembly 15 June 1752

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 18<sup>th</sup> June 1752.

Read the second Time and will Pass

Signed p Order M Macnemara Ct Lo H

Read the first time in this house and Ordered to lye on the Table

Read the Second time the Bills following A Bill Entituled an Act for the Ease of the Inhabitants in examining Evidences relating to the bounds of Lands and in the manner of Obtaining Injunctions; A Bill Entituled an Act for issuing Writts of Replevin out of the County Courts of this Province; A Bill Entituled an Act to Oblige Attornies to Prove their Lists of fees before they deliver them to the Sheriffs or any other Person for Collection and will not pass Sent to the Lower house by Col Hammond.

A Bill from the Lower house by Mess<sup>rs</sup> Oldham & Edmonson Entituled an Act to amend and explain an Act Entituled an Act to prevent Certain Evils and Inconveniencies attending the Sale of Strong Liquors and running of Horse Races near the yearly Meetings of the People called Quakers and to prevent the tumultuous Concourse of Negroes and other Slaves During the said Meetings thus Endorsed.

By the Lower house of Assembly 17<sup>th</sup> June 1752.

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 18 June 1752.

Read the Second Time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house & Ordered to lye on the Table

p. 419 Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.<sup>rs</sup> Hyland and Earl Entituled an Additional and Supplementary Act to the Act Entituled an Act for laying out and erecting a Town at a Place called Long Point on the West Side of North East River in Cecil County and to the Several Acts relating thereto; thus Endorsed,

By the Lower house of Assembly 17<sup>th</sup> June 1752

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo Ho

By the Lower house of Assembly 18.<sup>th</sup> June 1752.  
Read the Second time and will pass

U. H. J.  
Liber No. 34  
June 18

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

Read the Second Time the Bill Entituled an Additional Supplementary Act to an Act Entituled an Act for Amending the Staple of Tobacco for Preventing frauds in his Majestys Customs and for Limitation of Officers fees and will not pass, Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

Read the Second time the Bill Entituled an Act to prohibit the raising of Swine in the Town of Bladensburgh in Prince Georges County; The Bill Entituled an Act to prohibit the raising of Swine and Geese in George Town in Kent County and will pass with the following Amendments, instead of the words, to be paid to the Commissioners of the Time being of the Town of Bladensburgh and George Town to be Applied to the Sole Use and Benefit of the said Towns, insert the following words, to be Applied to the use of the Lord Proprietary for Support of Government, Sent to the Lower house by Edmund Jenings Esq.<sup>r</sup>

The Bill prepared in this house Entituled An Act for the better Security of Purchasers and Creditors is brought from the Lower house by Mess.<sup>rs</sup> Earl and Mackall thus Endorsed

By the Lower house of Assembly 17th June 1752.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 18th June 1752.

Read the Second time and will not pass

Signed p Order M Macnemara Ct Lo H.

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 19th June 1752.

June 19

This house met again according to Adjournment

Present as Yesterday.

Four Bills from the Lower house by Mess.<sup>rs</sup> Sullyvan and Frank-  
lin /viz/ A Bill Entituled an Act to prohibit the Raising of Swine & Geese in Charles Town in Charles County and to prevent Accidents by fire from Wooden Chimneys in the said Town; A Bill Entituled an Act for dividing certain Warehouses in Kent County therein Named; A Bill Entituled An Act empowering the Justices of Baltimore County Court to assess & levy a Sum of Current Money and for other purposes therein mentioned;—A Bill Entituled a Supplementary Act to an Act Entituled An Act to enable the Justices of Charles County to Assess and levy on the Taxable Inhabitants of

p. 420

U. H. J. that part of the late Reverend M.<sup>r</sup> Donaldsons Parish which lies in  
 Liber No. 34 the said County Fifty five Thousand Pounds of Tobacco and for  
 June 19 other purposes therein mentioned; Severally thus Endorsed.

By the Lower house of Assembly 18th June 1752

Read the first Time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 19th June 1752

Read the Second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess.<sup>rs</sup> Hooper and Lee Entituled an Act for Raising three half pence Sterling on every Hogshead of Tobacco Exported out of this Province for Payment of an Agent in Great Britain for the Service of this Province, thus Endorsed

By the Lower house of Assembly 13.<sup>th</sup> June 1752.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 19th June 1752.

Read the Second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

Read the Second time the Bill Entituled an Additional Supplementary Act to the Act Entituled an Act for laying out and erecting a Town at a Place called Long Point on the West Side of North East River in Cecil County and will not pass; Sent to the Lower house by Benedict Calvert Esq.<sup>r</sup>

Read the Second time the Bill Entituled an Act to prevent the Setting the Woods on fire and will pass with the following Amendments, Leave out the words from, Adjacent Lands, in 7th Line to the word, committed, in the 11.<sup>th</sup> Line, and insert the following  
 p. 421 words, And that whosoever shall Offend in the Premises and shall be Sued for the Same by the Party Grieved in the County Court where the offence shall be committed, that the Plaintiff upon obtaining a Verdict and Judgment or Judgment upon Demurrer or otherwise shall Recover his or her treble damages and double Cost, Sent to the Lower House by Col.<sup>o</sup> Tasker

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 20 June 1752.

This house met again according to Adjournment

U. H. J.  
Liber No. 34  
June 20

Present as Yesterday

Read the Second time the Bills following Viz.<sup>t</sup> A Supplementary Act to an Act Entituled an Act for the appointment of Constables & what Relates to their office, & ascertaining what Persons are Taxables; An Act for dividing certain Warehouses in Kent County therein named; An Act empowering the Justices of Baltimore County Court to Assess and levy a Sum of Current Money and for other purposes therein mentioned; A Supplementary Act to an Act Entituled an Act to Enable the Justices of Charles County to Assess and levy on the Taxable Inhabitants of that part of the late Reverend M.<sup>r</sup> Donaldsons Parish which lies in the said County 55000 pounds of Tobacco and for other Purposes therein mentioned, Passed & Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

Three Bills from the Lower house by Mess.<sup>rs</sup> Franklin & George A Bill Entituled an Act for Reducing the Allowances of the Members of the Upper and Lower Houses of Assembly of this Province, and Assessing the publick levy; A Bill Entituled an Act for the Encouragement of the West India Trade; A Bill Entituled a Supplementary Act to an Act Entituled an Act for issuing and taking out of the Office of the Commissioners or Trustees appointed for emitting Bills of Credit. Established by Act of Assembly the Sum of £4500 Current Money for encouragement of such able Bodied Freemen as shall Voluntarily enlist themselves in his Majestys Service for the intended Expedition against Canada and for Maintaining and Carrying them to the Place of Rendezvous as also for Replacing the said Sum and for the better regulating Ordinarys and Ordinary Keepers and for other purposes therein mentioned: Severally thus Endorsed

By the Lower house of Assembly 18. June 1752.

Read the first time and Ordered to lye on the Table

p. 422

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 20<sup>th</sup> June 1752.

Read the Second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and ordered to lye on the Table

Read the Second time the Bill Entituled an Act to prohibit the Raising of Swine and Geese in Charles Town in Charles County and to prevent accidents by fire from Wooden Chinneys in said Town & will Pass with the following Amendments, instead of the words, said Countys in the 10<sup>th</sup> & 15.<sup>th</sup> Lines put the following words, Lord Proprietary for the Support of Government, Sent to the Lower house by Col. Hammond.

U.H. J. The following Message is Sent to the Lower house by Benedict  
 Liber No. 34 Calvert Esq.<sup>r</sup>  
 June 20

By the Upper house of Assembly 20.<sup>th</sup> June 1752.

Gentlemen

His honour the President having communicated to this house an Address from Your house relating to the fixing the New Canon, We have Appointed Cof Hammond & Benedict Calvert Esq.<sup>r</sup> to join the Members named by Your house in the said Address

Signed p Order John Ross Ct Up H.

The Journal of Accounts is brought from the Lower house by Mess.<sup>rs</sup> Wootton and Magruder, thus Subscribed

20<sup>th</sup> June 1752.

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Adjourned till Monday Morning ten of the Clock

June 22

Monday Morning 22.<sup>d</sup> June 1752.

This house met again according to Adjournment

Present.

The Honourable	{	Cof George Plater	{	Daniel Dulany Esq. <sup>r</sup>
		Edmund Jenings Esq. <sup>r</sup>		Cof Edward Lloyd
		Cof Charles Hammond		Cof Benjamin Tasker
		Samuel Chamberlain Esq. <sup>r</sup>		Benedict Calvert Esq. <sup>r</sup>

Read the Second time the Bill Entituled an Act to Amend & explain an Act Entituled an Act to prevent certain Evils & Inconveniencies Attending the Sale of Strong Liquors and Runing of Horse races near the yearly meeting of the People called Quakers and to prevent the tumultuous Concourse of Negroes & Other Slaves during the said Meetings and will pass. Sent to the Lower house  
 p. 423 by Cof Tasker

A Message from the Lower house by Mess.<sup>rs</sup> Mackall & Bond

By the Lower house of Assembly 22<sup>d</sup> June 1752.

May it please your Honours

This house upon considering the Petition of M.<sup>r</sup> Nathan Hammond Sheriff of Ann Arundel County, referred from Your house have appointed D.<sup>r</sup> Charles Carroll and M.<sup>r</sup> Worthington to join such Members as shall be Named by Your Honours to agree with proper Workmen or such Persons as they shall think proper to Repair & raise the Wall inclosing the yard belonging to the publick Goal in the City of Annapolis and We Agree that a Sum not exceeding thirty Pounds be paid by the Treasurer of the Western



Shore to be applied for such use and purpose that an Ordinance may be made for that purpose

U. H. J.  
Liber No. 34  
June 22

Signed p Order M Macnemara Ct Lo H.

A Message from the Lower house by Mess.<sup>rs</sup> Earl & Gresham

By the Lower house of Assembly 22<sup>d</sup> June 1752.

May it please Your Honours.

It appears to this house by a Report from the Committee of Accounts /a Copy whereof is herewith sent/ that Co<sup>t</sup> George Gale Administrator of Co<sup>t</sup> Levin Gale has paid the Sum of £8..1..7½ Over and above the principal debt and Interest due to the Province from the af.<sup>d</sup> Levin Gale deceased; for the repayment of which we propose that the Commissioners of the Paper Office draw on the Trustees in London for the said Sum Payable to the aforesaid Co<sup>t</sup> George Gale and that an Ordinance be made for that purpose

Signed p Order M Macnemara Ct Lo H.

By the Committee of Accounts 20.<sup>th</sup> June 1752.

Your Committee humbly Represent to your honourable House that it appears by a Report from a Conference appointed by the Upper & Lower Houses of Assembly the 4.<sup>th</sup> June 1744. "That the representatives of Co<sup>t</sup> Levin Gale be required to Shew how the Money Charged by said Gale for Bills of Exchange drawn on M.<sup>r</sup> Neil Buchanan for the Years 1737, 1738, 1739 & 1740 amounting in all to £310..14..2½ for which no Credit is given by the Trustees has been paid.

Your Committee further represents that in the Trustees Account Dated London 28.<sup>th</sup> June 1751. there appears the following Credit /towit/

<p>" 1751 May 3.<sup>d</sup> By Cash Received for the following Viz.<sup>t</sup> of Matthias and William Gale of Whitehaven by the Order of Co<sup>t</sup> George Gale of Maryland to them on Account of the Estate of Co<sup>t</sup> Levin Gale of the Province deceased, on Account &amp; for the Use of the Paper Currency.</p>	}	500..—..—
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Your Committee have Computed the Interest of the above Sum of £310..1..7½ by which it Appears that the said Co<sup>t</sup> George Gale has over Paid the Debt of the af.<sup>d</sup> Levin Gale the Sum of £8..1..7½. Your Committee are therefore humbly of Opinion that the said p. 424 Sum of £8..1..7½ be repaid the af.<sup>d</sup> Co<sup>t</sup> George Gale.

All which is humbly Submitted to the consideration of the honourable House

Signed p Order Beale Nicholson Ct.

The following Message is Sent to the Lower house by Co<sup>t</sup> Hammond

U. H. J.  
Liber No. 34  
June 22

By the Upper House of Assembly 22<sup>d</sup> June 1752.

Gentlemen

We concur with you in what you propose in Your Message of this day by Mess.<sup>rs</sup> Mackall and Bond and do appoint Co<sup>t</sup> Hammond and Benedict Calvert Esq.<sup>r</sup> to Join with your Members for the Purpose therein mentioned

Signed p Order John Ross Ct Up H.

The following Message is Sent to the Lower house by Sam: Chamberlain Esq.<sup>r</sup>

By the Upper house of Assembly 22<sup>d</sup> June 1752.

Gentlemen

In answer to your Message of this day relating to the Payment of the Sum of £8..11.7 $\frac{1}{2}$  to Co<sup>t</sup> George Gale Administrator of Co<sup>t</sup>. Levin Gale deceased We agree that the Commissioners of the Paper Office draw on the Trustees in London for the said Sum Payable to the af.<sup>d</sup> Co<sup>t</sup> George Gale.

Signed p Order John Ross Ct Up H.

Read the Second time the Bill Entituled An Act for Reducing the Allowances of the Members of the Upper & Lower houses of Assembly of this Province and Assessing the Publick Levy, and will Pass with the following Amendments, Leave out the words, and Assessing the Publick levy, in the Title, Leave out the word, Whereas, in the 3<sup>d</sup> line after the words, no more, in the tenth Line, leave the rest of the Bill and make the Act perpetual; Sent to the Lower house by Edmund Jenings Esq.<sup>r</sup>

Read the Second time the Bill Entituled an Act for raising three half pence Sterling for Every Hogshead of Tobacco Exported out of this Province for payment of an Agent in Great Britain for the Service of this Province and will not pass, Sent to the Lower house by Edmund Jenings Esq.<sup>r</sup>

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time the Bill Entituled a Supplementary Act to an Act Entituled an Act for issuing and taking out of the office of the Commissioners or Trustees appointed for emitting Bills of Credit established by Act of Assembly the Sum of £4500 Current Money for encouragement of Such able Bodied Freemen as shall Voluntarily enlist themselves in his Majestys Service for the Intended Expedition against Canada and for maintaining and conveying them to the Place of Rendezvous as also for Replacing the said Sum, and for the better Regulating Ordinaries and Ordinary keepers, and will Pass Sent to the Lower house by Edmund Jenings Esq.<sup>r</sup>

Read the Second Time the Bill entituled an Act for Encouragement of the West India Trade and will not pass, Sent to the Lower house with the following Message by Col Hammond.

U. H. J.  
Liber No. 34  
June 22

By the Upper house of Assembly 22<sup>d</sup> June 1752.

Gentlemen

We herewith return you the Bill entituled an Act for the encouragement of the West India Trade, with a Negative, because the duty on Rum and Spirits is appropriated to defray the Publick Charge of the Province out of which Negroes that are Executed for Crimes are paid for, & the Commissions to the Naval Officers for the fifteen pence Sterling are to be taken out of the said duty therefore those Articles ought to have been Provided for upon abolishing of that duty

Signed p Order John Ross Ct Up H.

The Journal of the Committee of Accounts is Sent to the Lower house with the following Message by Samuel Chamberlain, Esq.<sup>r</sup>

By the Upper house of Assembly 22<sup>d</sup> June 1752.

Gentlemen

We observe that the Allowances mentioned & Referred to by a Message of the 6.<sup>th</sup> day of June 1751 from this house are not inserted in the Journal We therefore Return you the Same that such Allowances may be made with those Articles as have arose due Since that time and are omitted in the Journal.

Signed p Order John Ross Ct Up H.

Fifteen Engrossed Bills from the Lower house by Mess.<sup>rs</sup> Hall & Earl viz.<sup>t</sup> A Bill entituled an Act to prevent disabled and Superannuated Slaves being Set free or the Manumission of Slaves by any last Will and Testament, A Bill Entituled an Act directing the manner of punishing Fornication and Adultery before a Single Justice of the Peace out of Court; A Bill Entituled an Additional and Supplementary Act to the Act Entituled an Act for the better Administration of Justice in Testamentary Affairs Granting Administrations Recovery of Legacies Securing Filial Portions and distribution of Intestates Estates; A Bill Entituled an Act for dividing Certain Warehouses in Kent County therein Named; A Bill Entituled an Act Continuing an Act Entituled an Act for the more Effectual destroying of Squirrels and Crows in the Counties of Kent Queen Anns and Talbot and for destroying Red Foxes in the said Counties; A Bill Entituled a Supplementary Act to an Act Entituled an Act to enable the Justices of Charles County to Assess and levy on the Taxable Inhabitants of that part of the late Reverend M.<sup>r</sup> Donaldsons Parish which lies in the said County 55000 Pounds of Tobacco, and for other Purposes therein mentioned; A Bill Entituled a Supplementary Act to an Act Entituled an Act for the

U. H. J. Appointment of Constables and what relates to their Office & ascer-  
 Liber No. 34 taining what Persons are Taxables; A Bill Entituled a Supple-  
 June 22 mentary Act to the Act Entituled an Act for quieting Possessions  
 p. 426 enrolling Conveyances and Securing the Estates of Purchasers; A  
 Bill Entituled an Act for destroying Squirrels and Crows in the  
 Several Counties therein mentioned; A Bill entituled An act direct-  
 ing the former Sheriffs of the Several Counties within this Prov-  
 ince their Executors or Administrators to Account with the Justices  
 of the Several County Courts for the Tobacco therein mentioned;  
 A Bill Entituled an Act Continuing an Act entituled an Act Ascer-  
 taining the Allowance of Petit Jurors attending the Provincial Court  
 to limit Costs with Respect to Witnesses & for Settling their Allow-  
 ance as to Itinerant Charges; A Bill Entituled an Act continuing  
 an Act Entituled continuing an Act Entituled an Act for the Speedy  
 and effectual Publication of the Laws of this Province and for the  
 encouragement of Jonas Green of the City of Annapolis Printer;  
 A Bill Entituled an Act for the Relief of such Persons as cannot  
 find Surety to Testify as a Witness against any Person arrested  
 accused or Prosecuted for any Criminal Matter; A Bill Entituled  
 an Act to Amend and Explain an Act Entituled an Act to prevent  
 Certain Evils and Inconveniencies attending the Sale of Strong  
 Liquors and Running of Horse Races near the Yearly meetings of  
 the People called Quakers and to prevent the Tumultuous Concourse  
 of Negroes During the said Meetings; A Bill Etituled an Act im-  
 powering the Justices of Baltimore County Court to Assess and Levy  
 a Sum of Current Money and for other purposes therein mentioned.  
 Severally thus Subscribed

22. June 1752.

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo H.

Read and Assented to by this house & Ordered to be so Sub-  
 scribed.

Adjourned till to Morrow Morning ten of the Clock.

June 23

Tuesday Morning 23<sup>d</sup> June 1752.

This house met again according to Adjournment.

Present as Yesterday with the Addition of Philip Thomas Esq.<sup>r</sup>

Mess.<sup>rs</sup> Gresham and Hooper from the Lower house Attend with  
 M.<sup>r</sup> Abraham Falconar a Member elected for Kent County to See  
 him Qualified who takes the Several Oaths to the Government  
 required by Law Repeats and Subscribes the Abjuration & Test &  
 then withdraws

An Engrossed Bill from the Lower house by Mess<sup>rs</sup> Barnes &  
 Buchanan Entituled A supplementary Act to an Act Entituled an  
 Act for issuing and taking out of the Office of the Commissioners  
 or Trustees Appointed for emitting Bills of Credit established by

Act of Assembly the Sum of £4500 Current Money for Encouragement of such able Bodied Freemen as shall Voluntarily enlist themselves in his Majestys Service for the Intended Expedition against Canada and for maintaining & Conveying them to the Place of Rendezvous as also for Replacing the said Sum and for the better Regulating Ordinaries and Ordinary Keepers & other Purposes therein mentioned, thus Subscribed

U. H. J.  
Liber No. 34  
June 23  
p. 427

23 June 1752.

Read and assented to by the Lower house of Assembly

Signed 7<sup>th</sup> Order M Macnemara Cl Lo H.

Read and assented to by this house and ordered to be So Subscribed

The Several Paper Bills the Originals whereof have Passed this house this session are Sent to the Lower house by Benedict Calvert Esq.<sup>r</sup>

Mess.<sup>rs</sup> Key and Harrison from the Lower house Acquaint his Honour the President their House have no Business before them.

Cof. Hammond & Benedict Calvert Esq.<sup>r</sup> are Sent to the Lower house to acquaint the Speaker that his Honour requires his immediate Attendance with the Lower house in the Upper house to See the Laws Passed both houses this Session Receive the assent.

The Lower house Attend and by their Speaker Present to his Honour the following Bills viz

An Act to prevent disabled & Supperannuated Slaves being Set free, or the Manumission of Slaves by any Last Will or Testament.

An Act directing the manner of Punishing Fornication and Adultery before a Single Justice of the Peace out of Court.

An Additional and Suppementary Act to the Act Ent.<sup>d</sup> an Act for the better Administration of Justice in Testamentary Affairs Granting Administrations Recovery of Legacies Securing Filial Portions and distribution of Intestates Estates.

An Act for dividing Certain Warehouses in Kent County therein named.

An Act continuing an Act Entituled an Act for the more Effectual Destroying of Squirrels and Crows in the Counties of Kent Queen Anns and Talbot and for destroying Red Foxes in the said Counties.

A Supplementary Act to an Act Ent.<sup>d</sup> an Act to enable the Justices of Charles County to Assess and Levy on the Taxable Inhabitants of that Part of the late Reverend M.<sup>r</sup> Donaldsons Parish which lies in the said County 55000 pounds of Tobacco & for other purposes therein mentioned.

A Supplementary Act to the Act Entituled an Act for the Appointment of Constables & what relates to their Office & Ascertain-ing what psons are Taxables.

U. H. J. A Supplementary Act to an Act Entitled an Act for quieting  
 Liber No. 34 Possessions enrolling Conveyances & Securing the Estates of Pur-  
 June 23 chasers.

p. 428 An Act for Destroying Squirrels & Crows in the Several Counties therein mentioned.

An Act directing the former Sheriffs of the Several Counties within this Province their Executors or Administrators to Account with the Justices of the Several County Courts for the Tobacco therein mentioned.

An Act continuing an Act Entitled an Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court to limit Costs with Respect to Witnesses & for Settling their Allowance as to Itinerant Charges.

An Act continuing an Act Entitled an Act continuing an Act entituled an Act for the Speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis Printer.

An Act for the Relief of such Persons as can not find Surety to Testify as a Witness against any Person arrested accused or prosecuted for any Criminal Matter.

An Act to Amend and explain An Act Entitled an Act to prevent certain Evils and inconveniencies attending the Sale of Strong Liquors and Running of Horse Races near the yearly meetings of the People called Quakers and to prevent the tumultuous Concourse of Negroes and other Slaves during the said Meetings.

An Act empowering the Justices of Baltimore County Court to Assess and levy a Sum of Current Money & for other Purposes therein mentioned.

A Supplementary Act to an Act Entitled an Act for Issuing and taking out of the Office of the Commissioners or Trustees appointed for emitting Bills of Credit established by Act of Assembly the Sum of £4500 Current Money for encouragement of such able bodied Freemen as shall Voluntarily enlist themselves into his Majestys Service for the Intended Expedition against Canada & for Maintaining & Conveying them to the Place of Rendezvous as also for Replacing the said Sum and for the better regulating of Ordinaries & Ordinary keepers and for other purposes therein mentioned.

All which his Honour passed into Laws in the Usual form by Sealing them with the Right Honourable the Lord Proprietary's Great Seal at Arms and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province I Will this be a Law.

p. 429 After which his Honour was Pleased to conclude this Session with the following Speech.

Gentlemen of the Upper and Lower houses of Assembly

The Business of this Session being at an End I have thought fit with the Advice of his Lordships Council of State to Prorogue this Assembly to the first Tuesday in October next, and you are to take Notice You are Prorogued to that day accordingly.

U. H. J.  
Liber No. 34  
June 23

Thus Ends this Session of Assembly begun and held at the City of Annapolis on Wednesday the third day of June and Ending on Tuesday the Twenty third day of the Same Month in the Second Year of his Lordships Dominion in the Twenty Sixth Year of his Majestys Reign Annoque Domini 1752.

# PROCEEDINGS

## OF THE

### LOWER HOUSE OF ASSEMBLY

L. H. J. At a Session of Assembly held at the City of Annapolis, on  
 Liber No. 47 Wednesday the 3d Day of June, Anno Domini 1752, and in the  
 1752, June 3 2d Year of the Dominion of the Right Honourable Frederick,  
 p. 213 Absolute Lord and Proprietary of the Provinces of Maryland and  
 Avalon, Lord Baron of Baltimore, &c. (the Honourable Benjamin  
 Tasker, Esq; being President,) the following Delegates appeared  
 in the Lower House of Assembly; viz.

The Honourable Philip Hammond, Esq; Speaker;

- |   |   |
|---|---|
| <p>For Kent County,<br/>           Capt. Alex. Williamson;</p>  | <p>Mr. Charles Goldsborough,<br/>           Mr. Daniel Sulivane;</p>  |
| <p>For Anne Arundel County,<br/>           Mr. Thomas Worthington,<br/>           Dr. Charles Carroll,<br/>           Major Henry Hall;</p>                                 | <p>For Cecil County,<br/>           Mr. Nicholas Hyland,<br/>           Mr. Sidney George,<br/>           Mr. Benjamin Pearce,<br/>           Mr. Michael Earle;</p>            |
| <p>For Calvert County,<br/>           Mr. James John Mackall,<br/>           Mr. Benjamin Mackall,<br/>           Mr. Thomas Reynolds,<br/>           Mr. Edward Gantt;</p> | <p>For Prince George's County,<br/>           Mr. Turnor Wootton,<br/>           Capt. John Addison,<br/>           Mr. William Murdock;</p>                                    |
| <p>For Charles County,<br/>           Capt. Arthur Lee,<br/>           Mr. John Stoddert,<br/>           Mr. Bayne Smallwood,<br/>           Col. Richard Harrison;</p>     | <p>For the City of Annapolis,<br/>           Capt. Robert Gordon,<br/>           Mr. Walter Dulany;</p>   |
| <p>For Somerset County,<br/>           Mr. Henry Waggaman,<br/>           Mr. Joseph Gillis,<br/>           Col. Robert Jenckins Henry,<br/>           Mr. John Handy;</p>  | <p>For Queen Anne's County,<br/>           Capt. William Hopper,<br/>           Mr. Thomas Wilkinson,<br/>           Mr. John Tillotson,<br/>           Mr. James Hollyday;</p> |
| <p>For Talbot County,<br/>           Mr. John Goldsborough,<br/>           Mr. Matthew Tilghman;</p>  | <p>For Worcester County,<br/>           Mr. John Purnell,<br/>           Mr. John Evans;</p>  |
| <p>For Dorchester County,<br/>           Col. Henry Hooper,</p>   | <p>For Frederick County,<br/>           Daniel Dulany, Esq;<br/>           Capt. Henry Wright Crabb,<br/>           Mr. Joseph Chaplin,<br/>           Mr. Nathan Magruder.</p> |



A sufficient Number of Delegates to compose the Lower House of Assembly being convened at the Stadt-House, Ordered, That Col. Harrison and Capt. Sulivane do acquaint his Honour the President therewith: They return, and acquaint Mr. Speaker they delivered the Message.

L. H. J.  
Liber No. 47  
June 3

Col. Hammond, and Samuel Chamberlaine, Esq; from the Upper House, acquaint Mr. Speaker, that his Honour the President requires the Attendance of the Lower House of Assembly in the Upper House.

Mr. Speaker left the Chair, and (attended by the Members of the Lower House) went to the Upper House; where the President made the following Speech:

Gentlemen of the Upper and Lower Houses of Assembly,

The Administration of this Government devolving upon me, by the Death of our late Governor, obliges me to call you together, that we may consider what Laws are near expiring, and which of them it is the interest of the Country to continue longer. Altho' I am conscious that my own Abilities are much inferior to those of the worthy Gentleman we have lost, yet as I am under all the Ties of Nature and Interest to promote the Happiness of Maryland, as far as I possibly can, so I flatter myself, that with your Advice and Concurrence (upon which I shall always rely), we shall be able, in good Measure, to avert the ill Consequence of the great Loss we have lately sustained; and I know no better Means to crown our Endeavours for that desirable End with Success, than Unanimity and Harmony among ourselves, in carrying on the Public Business with Dispatch, and with as little Expence to the Country as possible.

Mr. Speaker (attended by the Members) returned to the Lower House, and re-assumed the Chair.

Mr. Richard Gresham and Mr. William Rasin, two Delegates returned to serve in this Assembly for Kent County; Mr. William Govane, Mr. Thomas Franklin, and Mr. Lloyd Buchanan, three of the Delegates returned to serve in this Assembly for Baltimore County; appeared in the House: Ordered, That Capt. Williamson and Mr. Pearce do go with those Gentlemen to the Upper House, to see them there qualified. They return, and acquaint Mr. Speaker that they were qualified by taking the Oaths to the Government in the usual Manner.

The Gentlemen took their Seats in the House.

The House continues the Gentlemen, that were on the several Committees last Session, on the same Committees this Session.

Ordered, That the Rules of last Session be observed as such this Session.

Resolved, That the Hours of Sitting for Dispatch of Public Business be from 9 of the Clock in the Forenoon until 12, and from 2 of the Clock Afternoon until 6.

L. H. J. On motion that an Address be prepared to his Honour the President, requesting him to direct to be laid before this House, the Authority whereby the executive Power of the Government hath devolved upon him: Ordered, That the Committee of Laws do prepare and bring in the same.

Liber No. 47  
June 3

Ordered, That Mr. Worthington do acquaint the Rev. Mr. Malcolm, that he is desired by this House to read daily Divine Service, Morning and Evening, during this Session.

On motion, Ordered, That Mr. Speaker do issue his Warrant, directed to the Secretary of this Province, to make out a new Writ of Election, directed to the Sheriff of Kent County, to elect a Delegate to serve in this present Assembly, in the Room of Mr. John Gresham, deceased.

The House adjourns until 2 of the Clock.

#### Post Meridiem.

The House met according to Adjournment.

Mr. Wootton, from the Committee of Elections and Privileges, acquaints Mr. Speaker, That that Committee had made choice of Benjamin Beall, as their Clerk: The House approves the Choice. Ordered, That he do qualify in the usual Manner.

Capt. Robert Gordon, a Provincial Magistrate, and one of the Members of this House, acquaints Mr. Speaker, that Benjamin Beall had taken the several Oaths to the Government required by p. 215 Law, in the usual Manner, and the following Oath of Office; viz.

You Benjamin Beall do swear, that as Clerk to the Committee of Elections and Privileges, you shall true Entries make of all such Matters and Things, as by that Committee, for the Time being, shall be to you directed; the Secrets of the said Committee you shall not divulge, to the Prejudice of the said Committee, or any Member thereof; but shall in all Things, as Clerk to the said Committee, well and truly demean yourself, according to the best of your Knowledge. So help you God.

Mr. George Fraser, a Delegate returned to serve in this Assembly for Prince George's County, appeared in the House. Ordered, That Mr. Wootton and Capt. Addison do go with him to the Upper House, to see him there qualified: They return, and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to the Honourable President; which was read, approved, and ordered to be Ingrossed.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To the Honourable Benjamin Tasker, Esq; President of his Lordship's Honourable Council in Maryland, and Commander in Chief thereof; L. H. J.  
Liber No. 47  
June 3

The humble Address of the House of Delegates of the said Province.

May it please your Honour,

It appearing to this House, that by an Act entitled, An Act for setting the Administration of this Government of this Province, in case of the Death or Absence of his Lordship's Governor for the Time being, 'till his Lordship's Pleasure shall be further known therein, That in case of the Death or Absence of his Lordship's Governor for the Time being, the first Person named by the Right Honourable the Lord Proprietor, and in his Lordship's Commission, to be of his Lordship's Honourable Council for the Time being, then living and actually residing in this Province, and, upon his Death or Absence, the next Person likewise named of his Lordship's said Council, actually living and residing as aforesaid, successively, shall immediately take upon him the Administration of the Government of this Province, &c.

This House being always desirous to know the Authority, whereby the Execution of the Powers of this Government is carried on, pray that your Honour will order to be laid before this House any particular Power, by which the Administration of this Government hath devolved on your Honour; and if, by the aforesaid Act, that your Honour will order to be laid before this House his Lordship's Commission to his Council of State.

Which was read and assented to, and signed, on Behalf of the House, by the Honourable Speaker.

Ordered, That Capt. Waggaman and Capt. Crabb do acquaint his Honour the President, this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker that the President was pleased to signify he would receive the Address on the Morrow Morning, at 10 of the Clock, in the Conference Chamber.

On motion that an Address be prepared to his Honour the President, on his Speech: Ordered, That the Committee of Laws do prepare and bring in the same. p. 210

The House adjourns until Tomorrow Morning at 9 of the Clock.

Thursday Morning, June 4, 1752.

June 4

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

L. H. J. Capt. Addison, from the Committee appointed to inspect into the  
 Liber No. 47 State and Condition of the Arms and Ammunition, &c. acquaints  
 June 4 Mr. Speaker, that Committee had made choice of Benjamin Beall  
 to be their Clerk: The House approves the Choice. Ordered, That  
 he be qualified in the usual Manner.

Ordered, That Capt. Addison, with five more, do present the  
 Address to his Honour the President.

Col. Hooper, from the Committee of Laws, delivers to Mr.  
 Speaker an Address to his Honour the President; which was read,  
 approved, and ordered to be Ingrossed.

Major Charles Ridgely, a Delegate returned to serve in this  
 Assembly for Baltimore County, appeared in the House. Ordered,  
 That Mr. Buchanan and Mr. Franklin do go with him to the Upper  
 House, to see him there qualified: They return, and acquaint Mr.  
 Speaker they saw him qualified in the usual Manner.

On motion that a Bill be brought in, to prevent slaves that are  
 superannuated, or become useless to their Masters, and are manu-  
 mitted by them, or discharged from their Service, from becoming  
 burthensome to the Public, and to prevent Slaves from being manu-  
 mitted by the last Will and Testament of their Masters; Leave is  
 given: Ordered, That the Committee of Laws do prepare and  
 bring in a Bill accordingly.

Col. Hooper, from the Committee of Laws delivers to Mr. Speaker  
 the following Ingrossed Address; viz.

To the Honourable Benjamin Tasker, Esq; President of his Lord-  
 ship's Honourable Council in Maryland, and Commander in Chief  
 thereof;

The humble Address of the House of Delegates of said Province.

May it please your Honour,

We his Majesty's most dutiful and loyal Subjects, the Delegates  
 of the Freemen of the said Province, in Assembly convened, return  
 your Honour our unfeigned Thanks, for your kind Speech at the  
 Opening of this Session.

It is with much Concern we reflect on the Loss sustained by this  
 Province, in the Death of our late worthy Governor: But at the  
 same Time, it affords us great Satisfaction, that the Administration  
 of the Government hath devolved upon your Honour, who are  
 certainly under all the Ties of Nature and Interest to promote the  
 Happiness of Maryland: And you may be assured, that our ready  
 p. 217 and hearty Concurrence shall never be wanting, with every Measure  
 that can be devised, for the Ease and Prosperity of the Good People  
 of this Province; which we are under every Obligation of Nature,  
 Interest, and Duty, to promote and advance to the utmost of our  
 Power.

As we have the same Motives to suggest the Means, and the same End to accomplish, with your Honour, we flatter ourselves that the Public Business will be carried on with the utmost Harmony, Dispatch, and as little Expence to the Country as possible.

L. H. J.  
Liber No. 47  
June 4

Ordered, That Mr. Wootton and Mr. Stoddert do acquaint his Honour the President that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the President signified he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Col. Hooper, with thirteen more do present the Address.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. Oldham and Mr. Edmonson appeared in the House.

His Honour the President communicates to Mr. Speaker the following Answer.

Gentlemen of the Lower House of Assembly,

In Answer to your Address, I assure you that I am, and always shall be, very desirous to give you all the Satisfaction in my Power on every Occasion. I had a Commission from the late Lord Proprietary, dated December 23, 1743, to be President of the Council. Upon the Demise of his Lordship, a Commission was sent in by the present Lord Proprietary and his Guardians, to the late Governor, with Orders and Instructions to be pursued by him; by the second of which, he was directed and required to "fill up the Vacancies in the Council, which had been occasioned by the Death of the late Lord Proprietary, with the Names of the former Counsellors, or of so many of them as should, at the Time the said Instructions should come to his Hands, be living; with the Addition of such others as he should find necessary, in the Room of such of the said Counsellors as should be then dead."

By the 3d, he (the late Governor) was required in "like Manner to renew and fill up all the other Places and Offices in the said Province, which had become vacant by the Death of the said late Lord Proprietary, by reinstating the late Possessors thereof in their respective Places and Offices; and if any such Officers should be dead, by appointing other Persons to succeed to their Places; for which Purpose, he (the late Governor) was to grant the usual Commission."

Immediately after the Receipt of the said Commission and Instructions, the Gentlemen of the Council were qualified by taking all the Oaths required by Law, repeating the Test, and subscribing

L. H. J. the Oath of Abjuration and the Test; and the other Places and  
 Liber No. 47 June 4 Offices were filled up according to the said third Order or Instruction,  
 by reinstating the former Possessors, among whom I was one, as  
 p. 218 President.

And thus the Government devolved upon me, upon the Death of the late Governor; and the Council desired, consented, and advised me to appoint all necessary Officers for the due Administration of Justice.

Upon the Restoration of the Government to the late Lord Proprietary, there was a Commission from his Lordship, and the Lord Guilford, his Guardian, in the Year 1715, to Thomas Brooke, Esq; Edward Lloyd, William Holland, William Coursey, Thomas Ennals, Samuel Young, Thomas Greenfield, John Hall, Thomas Addison, William Whittington, Philemon Lloyd, Richard Tilghman, and Thomas Smith, Esquires, to be of his Council: But no Commission was ever sent to the Council after the late Lord Proprietary attained his full Age; but those Gentlemen who have been of the Council, have been nominated and appointed by the Governor for the Time being, called up to the Council Board, and sworn: the Governor intimating, that he had his Lordship's Directions for that Purpose.

Benja. Tasker.

His Honour the President communicates to Mr. Speaker the following Answer.

Gentlemen of the Lower House of Assembly,

I return you hearty Thanks for your kind Address, and you may be assured I shall with Pleasure concur with you, in every Thing in my Power, for the Good and Advantage of this Province.

Benja. Tasker.

The House adjourns until to Morrow Morning at 9 of the Clock.

June 5

Friday Morning, June 5, 1752.

The House met according to adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

On motion that a Bill be brought in for the Recovery of small Debts out of Court, before a single Justice of the Peace; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in to repeal an Act entituled, An Act for the Encouragement of such Persons as will undertake to build Water-Mills; Leave is given; Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until 2 of the Clock.

Post Meridiem.

L. H. J.  
Liber No. 47  
June 5

The House met according to Adjournment.

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act for the speedy Recovery of small Debts out of Court, before a single Justice of the Peace: Which was read the first Time, and ordered to lie on the Table. p. 219

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act to prevent disabled and superannuated Slaves being set free; or the Manumission of Slaves by any last Will and Testament: Which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Saturday Morning, June 6, 1752.

June 6

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The following Message:

By the Lower House of Assembly, June 6, 1752.

May it please your Honours,

This House had appointed Major Barnes, Capt. Bond, Col. Harrison, Mr. Walter Dulany, and Capt. Lee, a Committee to inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly; and desire your Honours to appoint one or more of your House, to join in the said Committee.

Signed per Order. M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Col. Harrison and Mr. Govane.

The Bill entitled, An Act for the speedy Recovery of small Debts out of Court, before a single Magistrate, was read the second Time, and passed; and sent to the Upper House by Mr. Wootton and Mr. Gresham.

On motion that a Bill be brought in, to apply the one Pound of Tobacco per Poll, raised, and collected by Order of the Governor and Council in the Year 1744; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

On motion that a Bill be brought in, for Licensing Hawkers and Pedlars; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

On motion that a Bill be brought in, for lessening the Allowances of the Members of the Upper and Lower Houses of Assembly, and of the Members of the High Court of Appeals and Errors; Leave is

L. H. J. given: Ordered, That the Committee of Laws do prepare and bring  
 Liber No. 47 in a Bill accordingly.  
 June 6

The House adjourns until Monday Morning at 9 of the Clock.

June 8

Monday Morning, June 8, 1752.

p. 220 The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Murdock. The Proceedings of Saturday were read.

On motion that a Bill be brought in, to empower the County Justices to receive the Fines out of Court for Bastardy, on Confession of the Parties; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Capt. Bond, Major Barnes, Mr. Mills, Mr. Key, Major Selby, and Col. Scarborough appeared in the House.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to License Hawkers, Pedlars, and petty Chapmen; which was read the first Time, and ordered to lie on the Table.

Ordered, That the Committee of Accounts do not receive any Claims against the Public after Monday next.

Ordered, That the Committee of Accounts do not make any Allowance in the Journal of Accounts, to the Members of his Lordship's Council, for sitting as a Council of State.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the following Message:

By the Upper House of Assembly, June 8, 1752.

Gentlemen,

This House hath appointed Richard Lee, Esq; to join the Members named by your House, in a Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order, J. Ross, Cl. Up. Ho.

Resolved, That no Motion to proceed on any new Business this Session, be made after Wednesday next.

On motion that a Supplementary Bill be brought in, to the Act for regulating Attachments; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.



On motion that a Bill be brought in, for the Trial of all Matters of Fact in the several Counties where they have arisen or shall arise; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J.  
Liber No. 47  
June 8

On motion that an Additional Supplementary Bill to the Testametary Laws be brought in; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

p. 221

The House adjourns until Tomorrow Morning at 9 of the Clock.

Tuesday Morning, June 9, 1752.

June 9

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read. Mr. Murdock appeared in the House.

On motion that a Supplementary Bill to the Act for issuing and taking out of the Office of the Commissioners, or Trustees, appointed for emitting Bills of Credit, the Sum of 4500 l. Current Money, &c. Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Resolved, That when Members of the Lower House act as such, and as Provincial Magistrates, on the same Day, that the Committee of Accounts be directed to make no more than one Allowance for such Service.

On motion, Resolved, That when Members of the Upper House act as such, and as Judges of the Court of Appeals, on the same Day, that the Committee of Accounts be directed to make no more than one Allowance for such Service.

On motion, the Question was put, Whether the following Question shall be now put; viz. Whether the House will take into their Consideration the Act entituled, An Act for amending the Staple of Tobacco &c, with the several Acts relating thereto, and give them a longer Continuance this Session; or Not? Resolved in the Affirmative.

For the Affirmative.

Messieurs	Rasin,	J. Goldsborough,	Wootton,
	Gresham,	Oldham,	Gordon,
	Worthington,	Edmonson,	Hopper,
	Carroll,	Tilghman,	Wilkinson,
	J. J. Mackall,	Hooper,	Tillotson,
	B. Mackall,	C. Goldsborough,	Purnell,
	Reynolds	Govane,	Selby,
	Gantt,	Franklin,	Evans,
	Waggaman,	Ridgely	Scarborough,
	Gillis,	Hyland,	Magruder,
	Handy,	Pearce,	

L. H. J.  
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June 9

## For the Negative.

Messieurs	Bond,	Smallwood,	Fraser,
	Barnes,	Harrison,	W. Dulany,
	Mills,	Henry,	Hollyday,
	Key,	Sulivane,	D. Dulany,
	Williamson,	Buchanan,	Crabb,
	Hall,	George,	Chaplain.
	Lee,	Earle,	
	Stoddert,	Addison,	

The Question was put, Whether the House will take into Consideration the Act entituled, An Act for amending the Staple of Tobacco, &c. with the several Acts relating thereto; and give them a longer Continuance, this Session; or Not? Resolved in the Negative.

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## For the Negative.

Messieurs	Rasin,	Handy,	Hyland,
	Gresham,	J. Goldsborough,	Pearce,
	Worthington,	Oldham,	Wootton,
	Carroll,	Edmonson,	Hopper,
	J. J. Mackall,	Tilghman,	Wilkinson,
	B. Mackall,	Hooper,	Tillotson,
	Reynolds,	C. Goldsborough,	Purnell,
	Gantt,	Govane,	Selby,
	Waggaman,	Franklin,	Evans,
	Gillis,	Buchanan,	Scarborough,
	Henry,	Ridgely,	Magruder.

## For the Affirmative.

Messieurs	Bond,	Stoddert,	Fraser,
	Barnes,	Smallwood,	Gordon,
	Mills,	Harrison,	W. Dulany,
	Key,	Sulivane,	Hollyday,
	Williamson,	George,	D. Dulany,
	Hall,	Earle,	Crabb,
	Lee,	Addison,	Chaplin.

On motion that a Supplementary Bill to the Act for Amendment of the Staple of Tobacco, &c. be brought in; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On reading the second Time the Bill entituled, An Act to prevent disabled and superannuated Slaves, &c. the Question was put, Whether the said Bill do pass, or Not? Resolved in the Affirmative.

## For the Affirmative.

L. H. J.  
Liber No. 47  
June 9

Messieurs	Bond,	Waggaman,	Addison,
	Barnes,	Gillis,	Murdock,
	Mills,	Henry,	Fraser,
	Key,	Handy,	Gordon,
	Williamson,	J. Goldsborough,	W. Dulany,
	Rasin,	Oldham,	Hopper,
	Carroll,	Edmonson,	Tillotson,
	Hall,	Tilghman,	Hollyday,
	Reynolds,	C. Goldsborough,	Selby,
	Gantt,	Govane,	Scarborough,
	Lee,	Hyland,	Crabb,
	Stoddert,	George,	Buchanan,
	Smallwood,	Pearce,	D. Dulany.
	Harrison,	Earle,	

## For the Negative.

Mess.	Worthington,	Sulivane,	Purnell,
	J. J. Mackall,	Franklin,	Evans,
	B. Mackall,	Ridgely,	Magruder.
	Gresham,	Wootton,	
	Hooper,	Wilkinson,	

Which Bill was accordingly Indorsed, "Read the second Time, and will pass." And was sent to the Upper House by Mr. Wagga-man and Mr. Govane.

The House adjourns until 2 of the Clock.

## Post Meridiem.

The House met according to Adjournment.

On motion that a Bill be brought in, for issuing Writs of Replevin out of the County Courts; Leave is given.

On motion that a Bill be brought in, to prevent the raising of Swine and Geese in the Town of Bladensburg; Leave is given.

On motion that a Supplementary Bill be brought in to the Act p. 223 entitled, An Act for quieting Possessions, inrolling Conveyances, and securing the Estates of Purchasers; Leave is given.

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act continuing an Act entitled, An Act for the more effectual destroying Squirrels and Crows, in the Counties of Kent, Queen Anne's, and Talbot; and for destroying red Foxes in the said Counties;

L. H. J. A Bill entituled, An Act continuing an Act entituled, An Act for  
 Liber No. 47 the Relief of Persons accused and acquitted, and of Witnesses  
 June 9 against Persons accused; And,

A Bill entituled, An Act continuing an Act entituled, An Act for ascertaining the Allowance of Grand and Petit Jurors attending the Provincial Court, to limit Costs with Respect to Witnesses, and for settling their Allowance as to itinerant Charges:

Which Bills were severally read the first Time, and ordered to lie on the Table.

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act directing the former Sheriffs of the several Counties within this Province, their Heirs, Executors, or Administrators, to account with the Justices of the several County Courts, for the Tobacco therein mentioned: Which Bill was read the first Time, and ordered to lie on the Table.

Richard Lee, Esq; from the Upper House delivers to Mr. Speaker a Petition of the Inhabitants and Owners of Lots in the Town of Chester, in the County of Kent; and a Petition of the Inhabitants of Kent County; severally Indorsed, "By the Upper House of Assembly, June 9, 1752: Read, and referred to the Consideration of the Lower House of Assembly."

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the Tryal of all Matters of Fact, in the several Counties where they have arisen or shall arise: Which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Wednesday Morning, June 10, 1752.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The Bill entituled, An Act continuing an Act entituled, An Act for the Relief of Persons accused and acquitted, and of Witnesses against Persons accused, was read the second Time; and on the Question put, That the Bill do pass; Resolved in the Negative.

On motion that a Bill be brought in, for the Relief of such Persons as are or shall be committed for Want of Securities, to give their Testimony on Behalf of the Lord Proprietary; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

p. 224 The Bill entituled, An Act continuing an Act entituled An Act for the more effectual destroying Squirrels and Crows, in the Counties of Kent, &c. was read the second Time, and passed.

On motion that a Supplementary and Explanatory Bill to the Act entitled, An Act to prevent certain Evils and Inconveniencies attending the Sale of Strong Liquors, &c. near the yearly Meetings of the People called Quakers, &c. be brought in; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J.  
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June 10

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry Inhabitants of Worcester County; and a Petition of the Inhabitants of George Town in Kent County; severally Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly."

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

On motion That a Bill be brought in, to ascertain the Manner of Payment of the several Fees accruing due by Especial Commissions; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that an Additional Supplementary Act to the Act for the Establishment of Religious Worship, &c. be brought in; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, for the Maintenance of an Agent at Home, to transact the Public Affairs of this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Supplementary Bill, to the Act for Appointment of Constables, &c. be brought in; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion to bring in a Bill, for the Encouragement of Charles-Town in Cecil County; Leave is given.

On motion that a Bill be brought in, for the Security and Encouragement of the Protestant Interest within this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, for the greater Encouragement of the West-India Trade from and to this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, to oblige Attorneys to prove their Lists of Fees before they deliver them to the Sheriff, or any other Person, for Collection; Leave is given.

L. H. J. On motion to bring in an Explanatory Bill to the Act entitled,  
 Liber No. 47 An Act for the Ease of the Inhabitants, in examining Evidences  
 June 10 relating to the Bounds of Land, &c. Leave is given.

p. 225 On motion that a Bill be brought in, to prevent setting the Woods  
 on Fire; Leave is given.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 11

Thursday Morning, June 11, 1752:

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The Bill entitled, An Act directing the former Sheriffs of the several Counties within this Province, their Heirs, &c. to account, &c. was read the second Time, and passed: The Bill entitled, An Act for the Tryal of all Matters of Fact in the several Counties, &c. was read the second Time, and passed. Which Bills were sent to the Upper House by Mr. Bond and Mr. Mills.

The House adjourns until 2 of the Clock.

#### Post Meridiem

The House met according to Adjournment.

Daniel Dulany, Esq; from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, A Supplementary Act to an Act entitled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers; which was read the first Time, and Ordered to lie on the Table.

Mr. Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act for reducing the Allowances of the Members of the Upper and Lower Houses of Assembly of this Province; which was read the first Time, and ordered to lie on the Table.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act for the destroying Squirrels and Crows in the several Counties therein mentioned; which was read the first Time, and ordered to lie on the Table.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act empowering the Justices of the County Courts within this Province, to lay and assess on the taxable Inhabitants of their Counties, such necessary Charges as have arisen or shall arise, on especial Commissions of Oyer and Terminer, and Goal Delivery, for their said Counties; which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, June 12, 1752.

L. H. J.  
Liber No. 47  
June 12

The House met according to Adjournment: The Members were called and all appeared as yesterday. The Proceedings of yesterday were read.

Mr. Wootton brings in, and delivers to Mr. Speaker a Bill entitled, An Act for issuing Writs of Replevin out of the County Courts of this Province; And a Bill entitled, An Act to prohibit the raising of Swine in the Town of Bladensburg, in Prince George's County. Which Bills were severally read the first Time, and ordered to lie on the Table. p. 226

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act continuing an Act entitled, An Act continuing an Act entitled, An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer; which was read the first Time, and ordered to lie on the Table.

The Bill entitled, An Act empowering the Justices of the County Courts within this Province, to lay and assess on the taxable Inhabitants of their Counties, &c. was read the second Time, and passed. The Bill entitled, An Act to License Hawkers, Pedlars, and petty Chapmen, was read the second Time, and passed. Which two Bills were sent to the Upper House by Col. Harrison and Major Ridgely.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Rector, Vestrymen, Churchwardens, and others the Inhabitants of St. John's Parish in Baltimore County; and a Petition of Nathan Hammond, Sheriff of Anne Arundel County; severally Indorsed, "By the Upper House of Assembly, read, and referred to the Consideration of the Lower House of Assembly."

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the Bill entitled An Act to prevent disabled and superannuated Slaves being set free &c. Indorsed, "By the Upper House of Assembly, June 12, 1752. Read the second Time, and will pass, with the following Amendments: The Words from and after the first Day of September next to be left out: In Line 12 of Page 3, between the Words that and such, insert the following Words; such Deed and Writing be not in Prejudice of Creditors, and that.

Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was here read, and, with the Amendments proposed, passed for Ingrossing.

The House adjourns until 2 of the Clock.

L. H. J.  
Liber No. 47  
June 12

Post Meridiem.

The House met according to Adjournment.

Mr. Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act directing the Manner of punishing Fornication and Adultery, before a single Justice of the Peace; which was read the first Time, and ordered to lie on the Table.

The Petition of the Inhabitants of George-Town in Kent County, praying Leave to bring in a Bill, to prohibit the raising of Hogs and Geese in said Town, referred here from the Upper House, was read; and Leave given to bring in a Bill according to Prayer.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entitled, An Act directing the former Sheriffs of the several Counties within this Province, &c. to account, &c. Indorsed, "By the Upper House of Assembly, June 12, 1752: Read the second Time, and will pass, with the following Amendments: p. 227 Leave out the Preamble; and the Word Therefore in the 5th Line, and the Word aforesaid in the 8th Line; and insert the following Words after the Word thereof in the 11th Line, and a Deduction of one fourth Part of the whole, as in Cases of Debts, being made to the said Sheriffs.

Signed per Order J. Ross, Cl. Up. Ho."

Mr. Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act to oblige Garnishees to discover Goods and Effects attached in their Hands; which Bill was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 13

Saturday Morning, June 13, 1752.

The House met according to Adjournment: The Members were called, and all appeared as yesterday, except Capt. Williamson, Mr. Rasin, Mr. Govane, Mr. Franklin, Mr. Earle, and Capt. Addison. The Proceedings of yesterday were read.

Mr. Wootton brings in and delivers to Mr. Speaker a Bill entitled, An Explanatory Act to the Act entitled, An Act for the Ease of the Inhabitants in examining Evidences relating to the Bounds of Lands, and in the Manner of obtaining Injunctions, &c. which was read the first Time, and ordered to lie on the Table.

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Additional and Supplementary Act to the Act entitled An Act for the better Administration of Justice in Testamentary Affairs, granting Administrations, Recovery of Legacies, securing filial Portions, and Distribution of Intestates Estates; which was read the first Time, and ordered to lie on the Table.



Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act to prevent the Vestrymen, who have served in that Station, from serving again within Years :  
 And a Bill entitled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any criminal Matter : Which Bills were severally read the first Time, and ordered to lie on the Table.

L. H. J.  
 Liber No. 47  
 June 13

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act to prevent the setting the Woods on Fire; which was read the first Time, and ordered to lie on the Table.

Mr. Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act for raising Sterling for every Hogshead of Tobacco exported out of this Province, for Payment of an Agent in Great-Britain, for the Service of this Province; which was read the first Time, and ordered to lie on the Table.

The House adjourns until Monday Morning at 9 of the Clock.

Monday Morning, June 15, 1752.

June 15

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. J. J. Mackall and Mr. Reynolds. The Proceedings of Saturday were read. p. 228

Mr. Gresham brings in and delivers to Mr. Speaker a Bill entitled, An Act to prohibit the raising of Swine and Geese in George-Town, in Kent County; which was read the first Time, and ordered to lie on the Table.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, A Supplementary Act to the Act entitled, An Act for the Appointment of Constables, and what relates to their Office; and ascertaining what Persons are Taxables: Which Bill was read the first Time, and ordered to lie on the Table.

Mr. Wootton delivers to Mr. Speaker a Bill entitled, An Act to oblige Attorneys to prove their List of Fees, before they deliver them to the Sheriff, or any other Person, for Collection; which was read the first Time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Bill entitled, An Act for Tryal of all Matters of Fact, &c. and

L. H. J. the Bill entituled, An Act for the speedy Recovery of small Debts,  
 Liber No. 47 &c. Which Bills were severally Indorsed, "By the Upper House of  
 June 15 Assembly, June 15, 1752. Read the second Time, and will not pass.  
 Signed per Order, J. Ross, Cl. Up. Ho."

The Bill entituled, An Act to prohibit the raising of Swine in the Town of Bladensburg, &c. and the Bill entituled, A Supplementary Act to an Act entituled, An Act for quieting Possessions, &c. were severally read the second Time, and passed, and sent to the Upper House by Major Barnes and Mr. Edmonson.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act empowering the Justices of the County Courts within this Province, to lay and assess on the taxable Inhabitants of their Counties, &c. Indorsed, "By the Upper House of Assembly, June 15, 1752. Read the second Time, and will pass; provided the same Allowances be made to the Judges, Prosecutor, Officer, Witness, and Jurors, as are made to the same Persons in the Provincial Court.

Signed per Order J. Ross, Cl. Up. Ho."

Which Bill was here read, with the Amendment proposed by the Upper House; to which Amendment this House doth not agree.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the following Message:

By the Upper House of Assembly, June 15, 1752.  
 Gentlemen,

This House hath appointed Samuel Chamberlaine, Esq; to join  
 p. 229 the Members named by your House, in a Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office, in the Room of Richard Lee Esq; heretofore named for that Purpose; the Sickness of whole Family has obliged him to be absent for some Time this Session.

Signed per Order, J. Ross, Cl. Up. Ho.

The Bill entituled, An Act continuing an Act entituled, An Act continuing an Act entituled, An Act for the speedy and effectual Publication of the Laws, &c. and the Bill entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, &c. were severally read the second Time, and passed, and sent to the Upper House by Mr. Bond and Mr. Gresham.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 16

Tuesday Morning, June 16, 1752.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

Capt. Williamson, Mr. Rasin, Capt. Earle, Capt. Addison, and Mr. Franklin, appeared in the House.

L. H. J.  
Liber No. 47  
June 16

Ordered, That the Committee of Accounts do close the Journal of Accounts on Thursday next.

The Bill entitled, An Act directing the former Sheriffs of the several Counties within this Province, &c. to account with the Justices, &c. was read, with the Amendments proposed by the Upper House, and passed for Ingrossing.

The Bill entitled, An Additional and Supplementary Act to the Act entitled, An Act for the better Administration of Justice in Testamentary Affairs, &c. The Bill entitled, An Explanatory Act to the Act entitled, An Act for the Ease of the Inhabitants, in examining Evidences relating to the Bounds of Lands &c. And the Bill entitled, An Act directing the Manner of punishing Fornication, &c. Were severally read the second Time and passed, and sent to the Upper House by Mr. Murdock and Maj. Barnes.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entitled, An Act for Licensing Hawkers, &c. Indorsed, "By the Upper House of Assembly, June 16, 1752. Read the second Time, and will pass, with the following Amendments: The Word Five, in the 8th Line of the 2d Page, being made Ten: In Line 2 of Page 3, instead of the Words, to be applied towards defraying the Charge of the County where such Prosecution shall be had, put to his Lordship, his Heirs, and Successors, for Support of Government. Instead of the Words such Suit or Prosecution, in Line 3 of Page 4, put the Fact charged: In Line 13 of the same Page, instead of the Words to the Clerk of the Council for the Time being, who is, put to the Treasurer or Treasurers for the Time being, who are. In Line 6 of the last Page, instead of the Words according to the Directions of the General Assembly of this Province, for defraying the Public Expences thereof, put to be paid to his Lordship, his Heirs, and Successors, for Support of Government.

Signed er Order, J. Ross, Cl. Up. Ho."

Which Amendments being here read, this House doth not agree thereto.

The House adjourns until 2 of the Clock.

p. 230

Post Meridiem.

The House met according to Adjournment.

The Bill entitled, An Act to prohibit the raising of Swine and Geese in George-Town, in Cæcil County:

The Bill entitled, An Act continuing an Act entitled, An Act for ascertaining the Allowance of Grand and Petit Jurors, &c.

L. H. J. The Bill entituled, An Act for issuing Writs of Replevin, &c.  
 Liber No. 47 And  
 June 16

The Bill entituled, An Act for the destroying of Squirrels and Crows in the several Counties therein mentioned:

Were severally read the second Time, and passed, and sent to the Upper House, with the Bill entituled, An Act continuing an Act entituled, An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, &c. by Mr. Earle and Mr. Handy.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, A Supplementary Act to an Act entituled, An Act for quieting Possessions, &c.

The Bill entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as Witnesses, &c. And

The Bill entituled, An Act continuing an Act entituled, An Act continuing an Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province, &c.

Severally Indorsed, "By the Upper House of Assembly, June 16, 1752. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Which Bills were read here, and passed for Ingrossing.

The Bill entituled, An Act to prevent the setting the Woods on Fire, was read the second Time, and passed; and sent to the Upper House by Mr. Crabb and Mr. Gantt.

On reading the second Time the Bill entituled, An Act for reducing the Allowances of the Members of the Upper and Lower Houses of Assembly of this Province; the Question was put, Whether the Allowance to be made in the said Bill, to the Members of the Upper House of Assembly, shall be 80 lb. or 90 lb. of Tobacco per Day? Resolved, That it be 80 lb..

For Eighty.

Messieurs	{	Bond,	Harrison,	Earle,
		Barnes,	Waggaman,	Addison,
		Mills,	Gillis,	Murdock,
		Key,	Henry,	Gordon,
		Williamson,	Handy,	W. Dulany,
		Gresham,	Edmonson,	Hopper,
		Hall,	Hoooper,	Purnell,
		B. Mackall,	C. Goldsborough,	Selby,
		Reynolds,	Govane,	Evans,
		Gantt,	Buchanan,	Scarborough.
		Smallwood,	George,	

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June 16  
p. 231

		For Ninety.	
Messieurs	Rasin,	Sulivane,	Tillotson,
	Worthington,	Franklin,	Hollyday,
	Carroll,	Ridgely,	D. Dulany.
	Lee,	Hyland,	Crabb,
	Stoddert,	Pearce,	Chapin,
	J. Goldsborough,	Wootton,	Magruder.
	Oldham,	Fraser,	
	Tilghman,	Wilkinson,	

Which Bill was read, and committed for Amendments.

The Bill entitled, An Act to prevent Vestrymen, who have served in that Station, from serving again within three Years, was read the second Time, and will not pass.

The Bill entitled, An Act to oblige Attorneys to prove their List of Fees, &c. was read the second Time, and will pass.

The House adjourns until to Morrow Morning at 9 of the Clock.

Wednesday Morning, June 17, 1752.

June 17

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

Daniel Dulany, Esq; from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Additional Supplementary Act to an Act entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; which was read the first Time, and ordered to lie on the Table.

The Bill entitled, An Act to oblige Attorneys to prove their List of Fees, &c. was sent to the Upper House by Mr. Sulivane and Mr. Govane.

The Bill entitled, An Act to oblige Garnishees to discover Goods and Effects attached in their Hands, was read the second Time, and will not pass.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act to amend and explain an Act entitled, An Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concourse of Negroes and other Slaves during the said

L. H. J. Meetings: which was read the first Time, and ordered to lie on the  
 Liber No. 47 Table.  
 June 17

On reading the Petition of Nathan Hammond, Sheriff of Anne Arundel County, praying that a Sum be raised, to employ Workmen to raise the Wall of the Prison in the City of Annapolis, and for Payment of said Workmen; Leave given.

On reading the Petition of the Rector, Vestrymen, and Churchwardens of St. John's Parish in Baltimore County, praying Leave to bring in a Bill, to assess the Parishoners the Sum of 250 l. Current Money, to build a Chapel of Ease, and for other Purposes; Leave is given.

p. 232 A Petition of the Rev. Mr. Nathaniel Whitaker, Rector of Coventry Parish in Somerset County, was read, and referred to the Consideration of next Assembly.

The Petition of sundry Inhabitants of Worcester County, praying that a Bill be brought in, to prevent Hunting in the Woods of said County with Hounds and Cur-Dogs, was read, and referred to the Consideration of the next Assembly.

The Petition of the Inhabitants of the Lower Part of Kent County, praying that Tovey's and Langford's Bay Warehouses may be put under different Inspections, was read, and Leave given to bring in a Bill according to the Petitioners Prayer.

The Bill entituled, An Additional Supplementary Act to an Act entituled, An Act for amending the Staple of Tobacco, &c. was read the second Time by especial Order, and passed, and sent to the Upper House by Mr. D. Dulany and Mr. Key.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker a Bill entituled, An Act for the better Security of Purchasers and Creditors; Indorsed, "By the Upper House of Assembly, June 16, 1752. Read the first Time, and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho."

And thus: "By the Upper House of Assembly, June 17, 1752. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was here read the first Time, and ordered to lie on the Table.

Mr. George brings in and delivers to Mr. Speaker a Bill entituled, An Additional Supplementary Act to the Act entituled, An Act for laying out and erecting a Town at a Place called Long Point, on the West Side of North-East River in Cæcil County, and to the several Acts relating thereto; which was read the first Time, and ordered to lie on the Table.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Petition of Thomas Catteral, of Frederick County, Gentle-

man, Indorsed, "By the Upper House of Assembly, June 17, 1752. Referred to the Consideration of the Lower House of Assembly." L. H. J.  
Liber No. 47  
June 17

Col. Tasker, from the Upper House, delivers to Mr. Speaker a Petition of the Proprietors and principal Inhabitants of Charles Town, in Charles County; and a Petition of the Rector, Vestrymen, and Churchwardens of Trinity Parish in Charles County; severally Indorsed, "Referred to the Consideration of the Lower House of Assembly."

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill intituled, An Act directing the Manner of punishing Fornication, &c. the Bill intituled, An Additional and Supplementary Act to the Act intituled, An Act for the better Administration of Justice in Testamentary Affairs, &c. the Bill intituled, An Act continuing an Act intituled, An Act for ascertaining the Allowance of Grand and Petit Jurors, &c. the Bill intituled, An Act continuing an Act intituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, &c. and the Bill intituled, An Act for the destroying Squirrels and Crows in the several Counties therein mentioned; which Bills were severally Indorsed, "By the Upper House of Assembly, June 17, 1752. Read the second Time, and will pass.

Signed per Order J. Ross Cl. Up. Ho."

Which Bills were severally read here, and passed for Ingrossing.

Col. Hooper, from the Committee of Grievances and Courts of Justice, delivers to Mr. Speaker the following Report; viz. p. 233

By the Committee of Grievances and Courts of Justice, June 17, 1752.

Your Committee conceive it their indispensable Duty, to report to your Honourable House the many and dangerous Innovations, against Law, made by the Popish Interest within this Province, and the great Growth of Popery, and extensive Acquisitions of Popish Priests, or Jesuits, within the same.

First. That, contrary to Statutes, a Papist keeps a School for Education of Youth, within six or seven Miles of Annapolis, the Seat of Government, as appears by the following Declaration of Benjamin Wright; who says, That a certain James Elston, a Papist, keeps a School near his House, which is about seven Miles from Annapolis: That he has heard Elston say, that he would educate such of the Peoples Children in the Romish Religion as approved of it; and such as did not, he would educate in the Protestant Way: That he, Elston, told him he was a Papist, and went to Mass: That he, Wright, had been at the School-House, and seen Elston teach the Children, in the Common Prayer Book, their Prayers, according to the Church of England: That there is a Child of one Mr. Ireland, a Papist, that goes to the said School; and he believes there may be

L. H. J. fifteen or sixteen Children taught by the said Elston at his School:  
 Liber No. 47 That he knows that the said Elston taught at Patapsco in Anne  
 June 17 Arundel County, and heard him say he had kept School at Deer  
 Creek, in Baltimore County, before that Time.

2dly. That Popish Priests, or Jesuits, take Grants of Lands from the Lord Proprietary, as well as Deeds from others, in their own Names; whereon they build and erect public Mass Houses, Plantations, and Edifices, for the public Exercise of their Functions; of which Mass Houses, Seminaries, or Sects of Jesuits (exclusive of many Chapels and Mass Houses in private Families), there are six or more seated, besides Tracts of Land held in their Right, ready to be so seated for the Purposes aforesaid, and pervert many of his Majesty's Subjects.

3dly. That many Papists openly send Children to St. Omer's, and other Popish Seminaries, out of the King's Obedience, there to be trained up and educated in their Superstitions and dangerous Principles; whence many return into this Province Popish Priests, or Jesuits, propagating their Doctrine without Controul; which if not timely checked, may become of dangerous Consequence to this Part of his Majesty's Dominions.

4thly. That a German Priest, or Jesuit, has a Seat of Land, or Place for exercising the Popish Religion, near the back Mountain, as appears by a Deposition taken in May Session, 1751, and then lodged with the Clerk of your Honourable House.

5thly. That it also appears, by the Declaration of Mr. Francis Waring, of Prince George's County, That he has been acquainted with Mr. Henry Darnall, Attorney General, 14 or 15 Years; and understood that he was brought up and educated at St. Omer's, and that he, Mr. Darnall, professed the Popish Religion until the Time he first began to practice the Law, and of his taking the Oaths to the Government: That some Years after Mr. Darnall was appointed Attorney General, and Mr. Waring hearing by many People that Mass was said in his House after such Appointment, Mr. Waring often took Occasion to mention it, and particularly to Mr. Baker Brooke, a Papist, who said it was so; and that he, Mr. Brooke, also said, he understood by his Lordship's Charter, the Roman Catholics had Liberty to exercise their Religion any where, and that the Mass  
 p. 234 was said for Mr. Darnall's Family, but believed Mr. Darnall himself was never present: That in September last, Mr. Waring says, he was in Company with Mr. Ignatius Diggs, a Papist; and, after some Discourse, he, Diggs, talked of the approaching Election for Representatives, to serve in Assembly for Prince George's County, saying that Messieurs William Murdock and John Addison were not fit to serve, as being for introducing the Penal Laws the last Session; and that they were Men of such Principles as were not to be trusted in a public Capacity: That Mr. Waring, in their Discourse, said he



thought Mr. Henry Darnall was very much winked at, for suffering Mass to be said in his House; to which Mr. Diggs replied, that he thought it no Crime for Mass to be said there for his Family, for they had not taken the Oaths to the Government, if Mr. Darnall had; and that Mr. Darnall was not present himself at Mass. That about two or three Years ago, Mr. Basil Waring, a Papist, told Mr. Francis Waring, that Mr. Robert Darnall, a Son of Mr. Henry Darnall, the Attorney General, was just come into the Country from St. Omer's, where he had been for his Education. That Mr. Francis Waring is a Neighbour of Mr. Henry Darnall, and that he never saw Mr. Darnall at any Protestant Church, nor ever heard any of his Neighbours say they ever did see him, Mr. Darnall, at any.

J. H. J.  
Liber No. 47  
June 17

6thly. It appears to your Committee, That Mr. John Darnall, the Attorney General's Brother, one of the Judges of the Provincial Court, Clerk of Frederick County, Deputy Commissary, and Receiver of his Lordship's Land Rents there, bred out of his Majesty's Obedience as aforesaid, and not known by his Neighbours to frequent any Protestant Church (his Wife being a Papist), educates his Children as Papists also: That there are three more Provincial Judges, who are married to Papists; two of which execute the most considerable Office in the Government: And that most of the Receivers of his Lordship's Quit Rents, in the seven Counties on the Western Shore of this Province, are known Papists.

7thly. Your Committee humbly report to your Honourable House, That in the Year 1746, a certain Richard Molineux, a Popish Jesuit, and Principal of that Society in this Province, being bound to answer before the Provincial Court, seven Evidences were summoned to testify against him for some suspected treasonable Practices; whereof only two appear to have been sworn, or sent to the Grand Jury, as by a Copy of the Record thereof, marked A, and hereunto annexed, may appear: And that the same Year, when an unnatural Rebellion was carrying on in Great Britain, and many of the Papists here manifested their Dispositions for the Success thereof, Presentments were severally made against John Thomas, William Fothergill, and Bowlen Speak, for treasonable Words against his most sacred Majesty; and were only fined, without exhibiting any Indictment against them, or any of them, as appears by the Record marked B, and hereunto annexed; which we humbly conceive by Law ought to have been done. It further appears to your Committee, that in the Year 1748, at the Assizes held for Calvert County, a Presentment was made against a certain Samuel Harrison, then Clerk of the same County, and whose Wife is a professed Papist; who was thereupon only fined, without exhibiting any Indictment, as appears by the Copy of the Record hereunto annexed, marked C; altho' Mr. Darnall, the Attorney General, was then at the said Assize; which we likewise humbly conceive to have been a Neglect of Duty in him, and contrary to Law.

L. H. J. 8thly. Your Committee humbly report to your Honourable  
 Liber No. 47 House, That not only most of the Papists within this Province exert  
 June 17 their Power and Interest, to procure such Persons to be elected into  
 your Honourable House, as they think most suitable to their Pur-  
 poses; but more particularly Mr. Charles Carroll, a powerful Papist,  
 before and at the late Elections, did endeavour to influence many  
 Electors in Anne Arundel, Prince George's, and Frederick Counties,  
 p. 235 by treating, writing, and other artful Means; which we humbly ap-  
 prehend to be a Violation of the Rights of his Majesty's dutiful  
 and loyal Subjects of this Province.

All which we humbly conceive to be great Grievances, introduc-  
 tious of dangerous Evils, and tend to alienate the Affections of his  
 Majesty's Protestant Subjects of Maryland from his Lordship's  
 good Rule and Government; but is humbly submitted to the Con-  
 sideration of your Honourable House.

Signed per Order, Wm. Wilkins, Clerk.

And the following Deposition; viz.

Henry Cassell, of Frederick County, who was born of German  
 Parents, and says he understands the German Language well, makes  
 Oath on the Evangelists, that he knew Mr. Wapler, the German  
 Jesuit, or Priest, or who stood in the Priest's Place; and he, this  
 Deponent, heard him preach as such in the German Language, and  
 who now is, he supposes, in Germany; but this Deponent understood  
 the said Wapler had stayed his Time here, and another was to come  
 in his Room: That he has a Plantation at Connawago, called Wap-  
 ler's Place, and a Settlement thereon: That lately there was at  
 Connawago, at Wapler's Place, another German or English Jesuit  
 or Priest, who had his Meeting there, and at which were several  
 English as well as Germans: That many of the Germans are Roman  
 Catholics; and, he believes, many of the English or Irish up that  
 Way, about Pipe Creek: That most of the German Roman Catholics,  
 that this Deponent knows live up towards the Mountains; and that  
 he has been informed, the said Wapler has preached several Times  
 at Mr. John Digg's: And further saith not

Henry Cassell.

Sworn the 30th Day of May, in the Year of our Lord God 1751,  
 before me, Robert Jenkins Henry.

And the following Papers, marked A, B, C.

#### A.

In the Records and Proceedings of the Provincial Court of Mary-  
 land, amongst other Things, is contained as follows; viz.

Maryland, ss. { At a Provincial Court held at the City of An-  
 napolis, in Anne Arundel County, in and for the  
 Province aforesaid, on the second Tuesday of April,  
 being the eighth Day of the same Month, and in the 31st Year of the

Dominion of the Right Honourable Charles, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. Annoque Domini 1746; L. H. J.  
Liber No. 47  
June 17

Present,

The Honourable	{	Philip Thomas, Esq; Chief Justice;	}	Esquires, Justices;
		Benjamin Young,		
		Robert Gordon,		
		John Brice,		
		William Rogers, and		
		John Darnall,		

William Thornton, Esq; Sheriff; Richard Burdus, Clerk.

The Lord Proprietary  
against  
Richard Molineux, 1000,  
Charles Carroll, Esq;  
1000

{ The said Richard Molineux, being bound by Recognizance in the Sum of One Thousand Pounds Sterling, with Charles Carroll, Esq; his Security, in the like Sum, for his the said Richard Molineux's Appearance here this Court, to answer unto such Things as shall be objected against him, on Behalf of his Lordship; who being called upon, appears, and nothing being objected against him on Behalf of his Lordship thereupon, he from his Recognizance aforesaid, and his Security, are discharged; he the said Molineux paying the several Officers Fees, accruing due by Occasion of the Premises aforesaid. p. 236

Per Richard Burdus, Clerk.

Memorandum. Summons ordered and issued for William Secil, Richard Marshall, James Green, Mary Rawlings, and Eleanor Dickenson, of Prince George's County, and Major Samuel Hanson, and James Smallwood, of Charles County, to testify for his Lordship against Richard Molineux, returnable immediately.

Samuel Hanson, and James Smallwood, severally sworn to Grand Jury, for his Lordship, against Richard Molineux.

In Testimony that the within is a true Copy, from the L.●S. Records and Proceedings of the Provincial Court of Maryland, the Seal of the said Court is hereunto affixed, this 15th Day of June, Anno Domini 1752.

Per R. Burdus, Clerk.

I hereby Certify, that the Sheriffs of Prince George's and Charles Counties, to whom the within Summons's were directed, made Return thereof to the Court, that they had summoned the within mentioned William Secil, Richard Marshall, James Green, Mary Rawlings, Eleanor Dickenson, Samuel Hanson, and James Smallwood.

Certified per R. Burdus, Clerk.

L. H. J.  
Liber No. 47  
June 17

## B

In the Records and Proceedings of the Provincial Court of the Province of Maryland, amongst other Things, is contained as follows; viz.

Maryland, ss. { At a Provincial Court held at the City of Annapolis, in Anne Arundel County, for the Province aforesaid, on the second Tuesday of September, being the ninth Day of the same Month, and in the 32d Year of the Dominion of the Right Honourable Charles, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. Annoque Domini 1746.

## Present.

The Honourable	{	Benjamin Young, Esq; Chief Justice;	}	Esquires, Justices;
		George Dent,		
		Robert Gordon,		
		John Darnall,		
		John Brice,		
		William Rogers, and		

William Thornton, Esq; Sheriff; Richard Burdus, Clerk.

The Lord Proprietary } The said John Thomas, being bound by  
against } Recognizance for his Appearance here this  
John Thomas. } Court, to answer of and concerning a Presentment, by the Grand Jurors for the Body of the Province of Maryland, against him found; for that he, on or about the Middle of January last, did, in a public Manner, drink the Pretender's Health, and wish him Success in all his Undertakings, and that he thought him the Right Heir to the Crown; for that the present King's Father was a Turnip Sower, and could have no Right: And being demanded whether he was guilty of the Premises in the Presentment aforesaid mentioned, or not guilty, says he is guilty thereof and submits to the Court's Judgment thereon.

p. 237 Therefore it is considered by the Justices here, that the said John Thomas, for the Offence aforesaid, be fined to his Lordship the Lord Proprietary in the Sum of Ten Pounds Current Money; and he is ordered to give Security for the Payment of the Fine aforesaid, and the several Officers Fees accruing due by Occasion of the Premises aforesaid; and also to give Security in the Sum of Fifty Pounds Current Money, himself and one Security in the like Sum, or two Securities in the Sum of Twenty five Pounds Current Money each, for his the said John Thomas's keeping the Peace, and being of good Behaviour until next Court; for the Want of all which Premises, he is committed to the Custody of the Sheriff of Kent County, there to remain, until, &c. who being present, took Charge of him accordingly.

The Lord Proprietary } against William Fothergill.	} The said William Fothergill, being bound } by Recognizance for his Appearance here this } Court, to answer of and concerning a Pre-	L. H. J. Liber No. 47 June 17
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sentment, by the Grand Jurors, for the Body of the Province of Maryland, against him found, for that he, on or about the 25th of December last, publicly said, That now he hoped to see the Time that the poor Roman Catholics (who had been kept in Slavery forty two Years) out of their Bondage, and to wash their Hands in the Hearts Blood of the Protestants; and being demanded whether he was guilty of the Premises in the Presentment aforesaid mentioned, or not guilty, says that he is guilty thereof, and submits to the Court's Judgment thereon. Therefore it is considered by the Justices here, that the said William Fothergill, for the Offence aforesaid, be fined to his Lordship the Lord Proprietary, in the Sum of Ten Pounds Current Money; and he is ordered to give Security for the Payment of the said Fine, and the several Officers Fees accruing due by Occasion of the Premises aforesaid; and also to give Security in the Sum of Fifty Pounds Current Money, himself and one Security in the like Sum, or two Securities in the Sum of Twenty-five Pounds like Money each, for his the said William Fothergill's keeping the Peace, and being of good Behaviour, until next Court; for the Want of all which Premises, he is committed to the Custody of the Sheriff of Anne Arundel County, there to remain until, &c. who being present here in Court, took Charge of him accordingly.

The Lord Proprietary } against Bowlen Speak.	} The said Bowlen Speak being bound by } Recognizance for his Appearance here this } Court, to answer of and concerning a Pre-
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sentment by the Grand Jurors, for the Body of the Province of Maryland, against him found; for that he, on or about the first Day of March last, did, in a public Manner, drink the Pretenders Health, and good Success in his Proceedings; and being demanded whether he is guilty of the Premises in the Presentment aforesaid mentioned, or not guilty, says he is guilty thereof, and submits to the Court's Judgment thereon. Therefore it is considered by the Justices here, that the said Bowlen Speak, for the Offence aforesaid, be fined to his Lordship the Lord Proprietary in the Sum of Ten Pounds Current Money; and he is ordered to give Security for the Payment of the Fine aforesaid: But for the Want thereof, he is committed to the Custody of the Sheriff of Charles County, there to remain until, &c. who being present here in Court, took Charge of him accordingly. And it is further ordered, that he give Security in the Sum of Fifty Pounds Current Money, himself, with one Security, in the like Sum, or two Securities in the Sum of Twenty-five Pounds like Money each, for his the said Bowlen Speak's keeping the Peace, and being of good Behaviour, until next Court; and do for the payment of the several Officers Fees arising due by Occasion of the

L. H. J. Premises aforesaid. Thereupon the said Bowlen Speak, being  
 Liber No. 47 present here in Court, acknowledges himself to owe and stand justly  
 June 17 indebted to his Lordship, the Right Honourable the Lord Proprietary, in the Sum of Fifty Pounds Current Money, together with  
 p. 238 William Bryant of Charles County, Planter, as his Security, being likewise present here in Court, acknowledges himself also to owe and stand justly indebted unto his Lordship, the Right Honourable the Lord Proprietary, in the like Sum of Fifty Pounds like Money: And they severally acknowledge, that the several above Sums shall be levied on their respective Bodies, Goods, Chattels, Lands and Tenements, to and for the Use of his said Lordship, his Heirs, and Successors; in case he the said Bowlen Speak, shall not keep the Peace, and be of good Behaviour, until the next Provincial Court, and shall not pay the several Officers Fees arising due by Occasion of the Premises aforesaid.

A true Copy from the Records of the Provincial Court, Liber E I, N<sup>o</sup>. 10. Folios 231 and 232.

Per R. Burdus, Clerk.

In Testimony whereof the Seal of the said Provincial  
 L. ● S. Court is hereunto affixed, this 15th Day of June, Anno Domini 1752.

### C

At a Sessions of Assize, &c. held at Prince Frederick Town, for Calvert County, on Friday the 15th Day of April, 1748:

Present

The Honourable { George Dent,  
 William Rogers, } Esquires, Justices;

Daniel Rawlings, Sheriff. Tho. Gough, Clerk.

We the Grand Jury for the Body of the County  
 Calvert } ss. aforesaid, do present Samuel Harrison, for speaking  
 County, } the following treasonable Words, &c. That he knew no Difference between the King of France and the King of England; for if the King of France knew any Person having a Sum of Money, would take it from him; and if the King of England wanted a Sum of Money, would make his Parliament give it him.

By the Evidence of Thomas Ireland, junior, and James John Mackall.

Testis C. Clagett, Foreman.

Warrant returnable immediately, ordered and issued for Samuel Harrison, to answer Presentment found by Grand Jurors.

Lordship } On Presentment, appears and submits, ——— Fined  
 against } Forty Shillings; which he immediately pays to the  
 Harrison. } Sheriff.

James John Mackall, jur' to the Court against Harrison, on above  
Presentment. L. H. J.  
Liber No. 47  
June 17

A true Copy, taken from the original Minutes of the Western Shore, April Assize Court Minute Book; and the original Presentment, lodged in the Provincial Court Office.

Per R. Burdus, Cl. Provin. Court.

In Testimony whereof, the Seal of the said Provincial  
L. ● S. Court is hereunto affixed this 15th Day of June, Anno Domini 1752.

Per R. Burdus, Clerk.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Thursday Morning June 18, 1752.

June 18

The House met according to Adjournment: The Members were called, and all appeared as yesterday, except Mr. Gresham and Major Ridgely. The Proceedings of yesterday were read.

Mr. J. J. Mackall appeared in the House.

On reading and considering the Petition of Thomas Catteral, p. 239 referred here from the Upper House; Ordered, That Col. Hooper, Mr. J. Goldsborough, Major Barnes, Mr. Murdock, and Capt. Williamson, be appointed a Committee to enquire into the Facts contained in the said Petition, and to report the same to the House.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, A Supplementary Act to an Act intituled, An Act for issuing and taking out of the Office of the Commissioners or Trustees appointed for emitting Bills of Credit, established by Act of Assembly, the Sum of 4500 l. Current Money, for Encouragement of such able-bodied Freemen as shall voluntarily enlist themselves into his Majesty's Service, for the intended Expedition against Canada; and for maintaining and conveying them to the Place of Rendezvous; as also for replacing the said Sum: And for the better regulating of Ordinaries and Ordinary-Keepers; and for other Purposes therein mentioned. Which was read the first Time, and ordered to lie on the Table.

The Bill entitled, A Supplementary Act to the Act entitled, An Act for the Appointment of Constables, &c. was read the second Time and passed, and sent to the Upper House by Mr. Smallwood and Mr. Bond.

The Petition of the Proprietors and principal Inhabitants of Charles-Town in Charles County, praying Leave to bring in a Bill to prevent Fires being made in wooden Chimneys, in Houses situated near Store-Houses and public Buildings in the said Town; the same is granted, and Leave given to bring in a Bill as prayed.

L. H. J. The Petition of the Rector, Vestrymen, and Churchwardens of  
 Liber No. 47 Trinity Parish in Charles County, praying Leave to bring in a Bill,  
 June 18 to empower the Justices of Charles County Court to assess and levy  
 55000 lb. of Tobacco on the taxable Inhabitants of the said Parish  
 in three Years, was read, and Leave is given to bring in a Bill ac-  
 cording to Prayer.

The Bill entituled, An Act to amend and explain an Act entituled,  
 An Act to prevent certain Evils and Inconveniencies, &c. near the  
 yearly Meetings of the People called Quakers, &c. was read the  
 second Time, and passed, and sent to the Upper House by Mr.  
 Oldham and Mr. Edmonson.

Mr. Govane brings in, and delivers to Mr. Speaker a Bill entituled,  
 An Act empowering the Justices of Baltimore County Court to assess  
 and levy a Sum of Current Money, and for other Purposes therein  
 mentioned; which was read the first Time, and ordered to lie on the  
 Table.

Mr. Hollyday, from the Committee of Laws, delivers to Mr.  
 Speaker a Bill entituled, An Act for dividing of certain Warehouses  
 in Kent County, therein named; which was read the first Time, and  
 ordered to lie on the Table.

Col. Hammond, from the Upper House, delivers to Mr. Speaker  
 the Bill entituled, An Act to oblige Attorneys to prove their List of  
 Fees, &c. the Bill entituled, An Act for issuing Writs of Replevin  
 out of the County Courts of this Province: and the Bill entituled,  
 An Explanatory Act to the Act entituled, An Act for the Ease of  
 the Inhabitants, in examining Evidences relating to the Bounds of  
 Lands, &c. Severally Indorsed, "By the Upper House of Assembly,  
 June 18, 1752. Read the second Time, and will not pass.

Signed per Order, J. Ross Cl. Up. Ho."

p. 240 The House adjourns until 2 of the Clock.

#### Post Meridiem.

The House met according to Adjournment.

The Bill entituled, An Additional Supplementary Act to the Act  
 entituled, An Act for the laying out and erecting a Town at a Place  
 called Long Point, &c. and to the several Acts relating thereto, was  
 read the second Time and passed, and sent to the Upper House by  
 Mr. Hyland and Capt. Earle.

On reading the second Time the Bill entituled, An Act for the  
 better Security of Purchasers and Creditors; the Question was put,  
 Whether, in the said Bill, a Clause shall be proposed to be inserted  
 to make the said Bill temporary, or perpetual? Resolved, That a  
 Clause be inserted to make the Bill Temporary.



For a Clause to make the Bill Temporary.

L. H. J.  
Liber No. 47  
June 18

Messieurs	Bond,	Handy,	Fraser,
	Williamson,	J. Goldsborough,	Gordon,
	Rasin,	Oldham,	Hopper,
	Carroll,	Edmonson,	Wilkinson,
	J. J. Mackall,	Tilghman,	Tillotson,
	B. Mackall,	Hooper,	Hollyday,
	Reynolds,	Govane,	Purnell,
	Gantt,	Franklin,	Evans,
	Stoddert,	Hyland,	Selby,
	Smallwood,	Pearce,	Scarborough,
	Harrison,	Addison,	Chaplain.

For a Clause to make the Bill Perpetual.

Mess.	Mills,	Sulivane,	Murdock,
	Hall,	Buchanan,	W. Dulany,
	Gillis,	George,	D. Dulany,
	Henry,	Earle,	Crabb.
	C. Goldsborough,	Wootton,	

Which Bill was read the second Time, and, on the Question put, will not pass; and was sent to the Upper House by Mr. Earle and Mr. B. Mackall.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Additional Supplementary Act to an Act entituled, An Act for amending the Staple of Tobacco, &c. Indorsed, "By the Upper House of Assembly, June 18, 1752. Read the second Time, and will not pass."

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker a Bill entituled, An Act to prohibit the raising of Swine in the Town of Bladensburg, &c. and the Bill entituled, An Act to prohibit the raising of Swine and Geese in George-Town, &c. severally Indorsed, "By the Upper House of Assembly, June 18, 1752. Read the second Time, and will pass, with the following Amendment: Instead of the Words, to be paid to the Commissioners, for the Time being, of the Town of Bladensburg, to be applied to the sole Use and Benefit of the said Town, insert the following; to be applied to the Use of the Lord Proprietary, for the Support of Government.

Signed per Order, J. Ross, Cl. Up. Ho."

"By the Upper House of Assembly, June 18, 1752. Read the second Time, and will pass, with the following Amendment: Instead of the Words, to be paid to the Commissioners, for the Time being, of George-Town, to be applied for the sole Use and Benefit of the said Town, insert the following; to be applied to the Use of the Lord Proprietary, for the Support of Government. p. 241

Signed per Order, J. Ross, Cl. Up. Ho."

L. H. J. Which Bills were severally read here, with the Amendments proposed by the Upper House, and to which Amendments this House doth not agree.  
 Liber No. 47  
 June 18

Col. Hooper delivers to Mr. Speaker the following Report :

By the Committee appointed by the Honourable the Lower House of Assembly, to enquire into the Truth of the Facts set forth in the Petition of Thomas Catterall. June 18, 1752.

We find a written Paper, alleged to be the Will of Thomas Robinson, but neither proved nor under Seal, marked A. We find the Deposition of Elizabeth Bolton and Elizabeth Rigby, which does not appear to us to be taken in the Presence of the adverse Party, or that he had Notice ; which the Petitioner alleges was impracticable, the Deponents being beyond Sea. Also a Power of Attorney from Thomas Catterall the Petitioner, and others, to a certain Capt. John Lancaster, dated June, 1721, marked D.

It appears to us, by the Affidavits of the said John Lancaster, and his Brother Joseph Lancaster, that the aforesaid Thomas Catterall, the Petitioner, is the same Person mentioned in the Deposition of Elizabeth Bolton and Elizabeth Rigby. It appears likewise by Mr. Benjamin Pearce, that Mrs. Knight's Son, whom she had by Mr. Thomas Robinson, died under Age.

That it appears by the Deposition aforesaid, marked D, that two of the Sisters of Mr. Robinson, viz. Alice and Anne, are both dead ; but whether the other two Sisters are dead does not appear.

We find the Act of Assembly, made in the Year 1720, in Favour of Richard Bennett, Esq ; who purchased from the Surveyor General, Maurice Birchfield, Esq ; Turkey Point, as Land belonging to the Crown, marked C. It also appears by a Receipt on the Back of a Copy of a Record of a Decree of the Duchy Chamber of Lancaster, that the Sum of 1918 l. 6 s. 4 d. Sterling Money, in October, 1725, was paid ; but whether Thomas Robinson, at the Time of his Death, was indebted to Peregrine Brown, or the Crown, does not appear to this Committee.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Wm. Wilkins, Clerk.

Col. Harrison brings in and deliver to Mr. Speaker a Bill entitled, A Supplementary Act to an Act entitled, An Act to enable the Justices of Charles County to assess and levy on the taxable Inhabitants, on that Part of the late Rev. Mr. Donaldson's Parish which lies in the said County, 55000 lb. of Tobacco ; and for other Purposes therein mentioned : Which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, June 19, 1752.

L. H. J.  
Liber No. 47  
June 19

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The Bill entitled, A Supplementary Act to an Act entitled, An Act to enable the Justices of Charles County to assess and levy on the taxable Inhabitants of that Part of the late Reverend Mr. Donaldson's Parish, &c. was read the second Time, and passed.

A Bill entitled, An Act to prohibit the raising of Swine and Geese in Charles-Town in Charles County, and to prevent Accidents by Fire from wooden Chimneys in said Town, was read the first and second Time by especial Order, and passed. p. 242

The Bill entitled, An Act for dividing of certain Warehouses in Kent County, &c. was read the second Time, and passed. And

The Bill entitled, An Act empowering the Justices of Baltimore County Court, to assess and levy a Sum of Current Money, &c. was read the second Time, and passed.

Which Bills were sent to the Upper House by Mr. Sulivane and Mr. Franklin.

The Bill entitled, An Act for raising Three Halfpence Sterling for every Hogshead of Tobacco exported out of this Province, for Payment of an Agent, &c. was read the second Time and passed, and was sent to the Upper House by Col. Hooper and Capt. Lee.

The Petition of the Inhabitants and Owners of the Lots in the Town of Chester, in the County of Kent, praying Leave to bring in a Bill, to oblige the Owners or Occupiers of every Lot, or Part of a Lot, to pay the Sum of 20 s. to be laid out in procuring a Fire-Engine. for the Use of the said Town, &c. was read, and referred to the Consideration of next Assembly.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entitled, An Additional Supplementary Act to the Act entitled, An Act for the laying out and erecting a Town at a Place called Long-Point, &c. Indorsed, "By the Upper House of Assembly, June 19, 1752. Read the second Time, and will not pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Bill entitled, An Act to prevent the setting the Woods on Fire: Indorsed, "By the Upper House of Assembly, June 19, 1752. Read the second Time, and will pass, with the following Amendment: Leave out the Words from adjacent Lands, in the 7th Line, to the Word committed, in the 11th Line; and insert the following Words. And that whoever shall offend in the Premises, and shall be sued for the same by the Party grieved, in the County Court where the offence shall be committed, that the Plaintiff, upon obtaining a Verdict and

L. H. J. Judgment, or Judgment upon Demurrer, or otherwise, shall recover  
 Liber No. 47 his or her treble Damages, and double Cost.  
 June 19

Signed per Order, J. Ross, Cl. Up. Ho."

His Honour the President communicates to Mr. Speaker the following Message:

Gentlemen of the Lower House of Assembly,

The Cannon belonging to the Public being so much worn, that it was thought advisable to send for new; which have been some Time arrived, but not yet fixed: And it appearing, from the Accident which happened a few Days since, that it is dangerous to use the old Cannon; I therefore desire that some Gentlemen of your House may be named, to join some of the Members of the Upper House, to agree with proper Persons for fixing the New.

Benja. Tasker.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

p. 243 On considering the President's Message of this Day; Ordered, That Dr. Carroll, Mr. Worthington, Major Hall, and Mr. Govane, be appointed to join such Members as shall be appointed by the Upper House, to agree with proper Persons for fixing the new Cannon.

Ordered, That an Answer be prepared to his Honour the President, in Answer to his Message of this Day, communicated to Mr. Speaker; and that the Committee of Laws do prepare and bring in the same.

On reading and considering the Bill entituled, An Act to prevent the setting the Woods on Fire, and the Amendments proposed to be made by the Upper House to the said Bill; the Question was put, Whether this House doth agree, to the Amendments proposed by the Upper House to be made to the said Bill; or Not. Resolved in the Negative.

For the Negative,

Messieurs	Rasin,	Waggaman,	Addison,
	Worthington,	Gillis,	Fraser,
	Carroll,	Handy,	Hopper,
	J. J. Mackall,	Edmonson,	Wilkinson,
	B. Mackall,	Hooper,	Tillotson,
	Reynolds,	C. Goldsborough,	Purnell,
	Gantt,	Sulivane,	Evans,
	Stoddert,	Govane,	Magruder.
	Smallwood,	Franklin,	
	Harrison,	Pearce,	

For the Affirmative.

L. H. J.  
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Messieurs	Bond,	Oldham,	Gordon,
	Barnes,	Tilghman,	W. Dulany,
	Mills,	Buchanan,	Hollyday,
	Key,	Hyland,	Scarborough,
	Williamson,	George,	D. Dulany,
	Hall,	Earle,	Crabb,
	Lee,	Wootton,	Chaplin.
	J. Goldsborough,	Murdock,	

Capt. Addison delivers the following Report :

By the Committee appointed to inspect the Arms and Ammunition, and Accounts relating thereto, June 19, 1752.

Your Committee having inspected the Arms and Ammunition in the City of Annapolis, do find the same as follows, viz.

In the Council Chamber, 255 Muskets, 131 Carbines, 71 Pistols, 20 Trumpets, 7 Drums, 74 Swords, 44 Cartouch Boxes and Belts, 10 old ditto without Belts, 49 Halberts and Pikes, 46 Buckets and Slings, 50 Sword Blades, and 18 Daggers; all which are in good Order.

In the Room over the Conference Chamber, 72 Old Muskets and Carbines much out of Repair, 33 Pair of Holsters, 155 Swords, 25 Bayonets, 75 Sword Belts, 16 old Cutlasses, 6 new Drums, 34 Pistols, 3 Chests and a half of Match, 15 Pair of Drumsticks: Also the following new Arms; viz. 12 Brass Trumpets with Brass Mouth-pieces, 12 Drums and Sticks compleat, 30 Carbines with Buff Slings, 30 Muskets, 30 Bays Cases, 30 Carbines with Bayonets, 30 Scabbards, and 30 List Cases; out of which we find, that since last May Session, there has been delivered out to Dr. George Steuart, by the Governor's Order, as appears by said Steuart's Receipt, 11 new Carbines, 11 Buff Slings, 11 Bayonets and 11 Scabbards, which are not p. 244 since returned.

In the Room under the Conference Chamber, 2700 lb. of Ball, 300 lb. of large Shot, and 980 lb. of Bar Lead.

In the Powder House, 134 Sword Belts, 42 Carbine Slings, half a Box of Flints, 20 Half Barrels of new Powder, 13 Half Barrels old ditto, 4 Barrels ditto.

There are also 10 old Cannon Guns lying upon the Point near the Inspection House, not fit for Use, and 15 new ditto much rustied, lying in the Sand without Carriages, and, unless Care taken of them in Time, will be much damaged.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Benja. Beall, Cl. Com.

L. H. J.  
Liber No. 47  
June 19

The House concurs with the Report,

On reading the Report from the Committee of Grievances, brought into the House on the 17th Day of June last; the Question was put, Whether the House concurs with the 6th Grievance set forth in that Report, or Not? Resolved in the Affirmative.

For the Affirmative.

Messieurs	Williamson,	Waggaman,	George,
	Rasin,	Handy,	Addison,
	Worthington,	J. Goldsborough,	Murdock,
	Carroll,	Oldham,	Fraser,
	J. J. Mackall,	Edmonson,	Hopper,
	B. Mackall,	Tilghman,	Tillotson,
	Reynolds,	Hooper,	Purnell,
	Gantt,	Govane,	Crabb,
	Lee,	Franklin,	Chaplain.
	Stoddert,	Hyland,	
	Smallwood,	Pearce,	

For the Negative.

Messieurs	Bond,	Henry,	W. Dulany,
	Barnes,	C. Goldsborough,	Hollyday,
	Mills,	Sulivane,	Selby,
	Key,	Buchanan,	Evans,
	Hall,	Earle,	Scarborough,
	Harrison,	Wootton,	D. Dulany,
	Gillis,	Gordon,	Magruder.

The Question was put, Whether the House concurs with the 8th Grievance set forth in the said Report; or Not? Resolved in the Affirmative.

For the Affirmative.

Messieurs	Bond,	Gillis,	Earle,
	Williamson,	Henry,	Addison,
	Rasin,	Handy,	Murdock,
	Worthington,	J. Goldsborough,	Fraser,
	Carroll,	Oldham,	W. Dulany,
	J. J. Mackall,	Edmonson,	Hopper,
	B. Mackall,	Tilghman,	Tillotson,
	Reynolds,	Hooper,	Hollyday,
	Gantt,	Govane,	Selby,
	Lee,	Franklin,	Evans,
	Stoddert,	Hyland,	Crabb,
	Smallwood,	George,	Chaplin.
	Waggaman,	Pearce,	

## For the Negative.

Mess. <sup>rs</sup>	Barnes,	C. Goldsborough,	Purnell,
	Mills,	Sulivane,	Scarborough,
	Key,	Buchanan,	D. Dulany,
	Hall,	Wootton,	Magruder.
	Harrison,	Gordon,	

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p. 245

The whole Report being read, the House concurs therewith.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entitled, An Act for Encouragement of the West-India Trade; which was read the first and second Time by especial Order, and the Question was put, Whether the said Bill shall pass: or Not? Resolved in the Affirmative.

## For the Affirmative.

Messieurs	Bond,	Gillis,	Fraser,
	Barnes,	J. Goldsborough,	Gordon,
	Mills,	Edmonson,	W. Dulany,
	Key,	C. Goldsborough,	Hopper,
	Williamson,	Sulivane,	Wilkinson,
	Rasin,	Govane,	Tillotson,
	Carroll,	Franklin,	Hollyday,
	Hall,	Buchanan,	Purnell,
	J. J. Mackall,	Hyland,	Selby,
	B. Mackall,	George,	Evans,
	Reynolds,	Pearce,	Scarborough,
	Gantt,	Earle,	D. Dulany,
	Lee,	Wootton,	Magruder.
	Stoddert,	Addison,	
	Smallwood,	Murdock,	

## For the Negative,

Mess.	Worthington,	Handy,	Hooper,
	Harrison,	Oldham,	Crabb,
	Waggaman,	Tilghman,	Chaplain.

The House adjourns until to Morrow Morning at 9 of the Clock.

Saturday Morning, June 20, 1752.

June 20

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The Bill entitled, An Act for reducing the Allowances of the Members of the Upper and Lower Houses of Assembly, &c and the Bill entitled, A Supplementary Act to an Act entitled, An Act

L. H. J. for issuing and taking out of the Office of the Commissioners or  
 Liber No. 47 Trustees, &c. 4500 l. Current Money, &c. were severally read the  
 June 20 second Time, and passed; and were sent to the Upper House, with  
 the Bill entituled, An Act for Encouragement of the West-India  
 Trade, by Mr. Franklin and Mr. George.

Mr. Wootton, from the Committee of Accounts, acquaints Mr. Speaker that Col. Lloyd, as Treasurer of the Eastern Shore, had laid an Account before that Committee, of Moneys received by him for the Use of the Public; and to know if it be the Sense of the House, that the said Committee do receive the said Account. Ordered, That the said Committee do receive the same.

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker an Address to his Honour the President; which was read, approved, and ordered to be Ingrossed.

Mr. Wootton, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report:

By the Committee of Elections and Privileges, June 20, 1752.

Your Committee having inspected the Writs directed to the Sheriffs of Baltimore, Kent, and Prince George's Counties, and Returns thereon, for electing Deputies and Delegates to serve in this General Assembly; do find,

That Mr. William Govane, Mr. Thomas Franklin, Mr. Charles Ridgely, and Mr. Lloyd Buchanan, Delegates of Baltimore County, are duly returned:

That Mr. Richard Gresham, and Mr. William Rasin, Delegates of Kent County, are duly returned:

That Mr. George Fraser, a Delegate of Prince George's County, is duly returned.

All which is humbly submitted to your Honourable House.

Signed per Order, Benja. Beall, Cl. Com.

p. 246 With which Report the House concurs.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Address, Ingrossed; viz.

To the Honourable Benjamin Tasker, Esq; President of his Lordship's Honourable Council in Maryland, and Commander in Chief thereof;

The humble Address of the House of Delegates.

May it please your Honour,

In Answer to your Message of Yesterday to this House, we have appointed Dr. Charles Carroll, Mr. Thomas Worthington, Major Henry Hall, and Mr. William Govane, to join such Members of the Upper House as shall be named, to agree with proper Persons for fixing the new Cannon.

Which was read and assented to, and signed, on Behalf of the House, by the Honourable Speaker.



Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act impowering the Justices of Baltimore County Court to assess and levy a Sum of Current Money, &c.

L. H. J.  
Liber No. 47  
June 20

The Bill entituled, A Supplementary Act to an Act entituled, An Act to enable the Justices of Charles County to assess and levy on the taxable Inhabitants of that Part of the late Rev. Mr. Donaldson's Parish which lies in the said County, 55000 lb. of Tobacco, &c.

The Bill entituled, A Supplementary Act to the Act entituled, An Act for the Appointment of Constables, &c. And

The Bill entituled, An Act for dividing certain Warehouses in Kent County, therein named :

Severally Indorsed, " By the Upper House of Assembly, June 20, 1752. " Read the second Time, and will pass."

Which Bills were severally read here, and passed for Ingrossing.

Ordered, That Col. Henry and Mr. Gillis do acquaint his Honour the President, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that the President was pleased to signify, that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Col. Scarborough and Capt. Williamson do present the Address.

Mr. Wootton, from the Committee of Accounts, delivers to Mr. Speaker the following Report :

By the Committee of Accounts, June 20, 1752.

Your Committee humbly represents to your Honourable House, that it appears by a Report, from a Conference appointed by the Upper and Lower Houses of Assembly the 4th of June, 1744, " That the Representatives of Col. Levin Gale be required to shew how the Money charged by said Gale, for Bills of Exchange drawn on Mr. Neil Buchanan, for the Years 1737, 1738, 1739, and 1740, amounting in all to 310 l. 14 s. 2 d. 2 q. for which no Credit is given by the Trustees, has been paid."

Your Committee further represents, that in the Trustees Account, dated London, June 28, 1751, there appears the following Credit; to wit,

May 3. } By Cash received for the following; viz.  
1751. } Of Matthias and William Gale, of Whitehaven,  
by the Order of Col. George Gale, of Maryland, to them, on Account of the Estate of Col. Levin Gale, of that Province, deceased, on Account and for the Use of the Paper l. s. d.  
Currency. 500 00 00

L. H. J. Your Committee have computed the Interest of the above Sum  
 Liber No. 47 of 310 l. 14 s. 2 d. 2 q. at 5 per Cent. per Annum; which added to  
 June 20 the Principal, amounts to 491 l. 18 s. 4 d. 2 q. By which it appears,  
 p. 247 that the said Col. George Gale has overpaid the Debt of the aforesaid  
 Levin Gale, the Sum of 8 l. 1 s. 7 d. 2 q. Your Committee are there-  
 fore humbly of Opinion, that the said Sum of 8 l. 1 s. 7 d. 2 q. be  
 repaid the aforesaid Col. George Gale.

All which is submitted to the Consideration of the Honourable  
 House.

Signed per Order, Beale Nicholson, Clerk.

With which Report the House concurs.

Col. Hammond, from the Upper House, delivers to Mr. Speaker  
 the Bill entituled, An Act to prohibit the raising of Swine and  
 Geese in Charles Town in Charles County, &c. Indorsed, "By the  
 Upper House of Assembly, June 20, 1752. Read the second Time  
 and will pass, with the following Amendment: Instead of the  
 Words said County, in the 10th and 15th Lines, put the following  
 Words, Lord Proprietary, for the Support of Government.

Signed per Order, J. Ross, Cl. Up. Ho."

Benedict Calvert, Esq; from the Upper House, delivers to Mr.  
 Speaker the following Message:

By the Upper House of Assembly, June 20, 1752.

Gentlemen,

His Honour the President having communicated to this House  
 an Address from your House, relating to the fixing the new Cannon;  
 we have appointed Col. Hammond, and Benedict Calvert, Esq; to  
 join the Members named by your House in the said Address.

Signed per Order, J. Ross, Cl. Up. Ho.

Mr. Wootton, from the Committee of Accounts, delivers to  
 Mr. Speaker the Journal of Accounts; which was read and assented  
 to, and sent to the Upper House by Mr. Wootton, and Mr. Magruder.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

On reading the Petition of Thomas Catterall, the Question was  
 put, Whether the Consideration of the said Petition be referred to  
 next Assembly; or Not? Resolved in the Affirmative.

For the Affirmative.

L. H. J.  
Liber No. 47  
June 20

Messieurs	Barnes,	Henry,	Pearce,
	Key,	J. Goldsborough,	Earle,
	Williamson,	Oldham,	Murdock,
	Carroll,	Tilghman,	Gordon,
	Reynolds,	Hooper,	W. Dulany,
	Gantt,	Sulivane,	Wilkinson,
	Lee,	Govane,	Hollyday,
	Waggaman,	Franklin,	Selby,
	Gillis,	George,	D. Dulany.

For the Negative.

Messieurs	Mills,	Harrison,	Purnell,
	Bond,	Edmonson,	Evans,
	Rasin,	Wootton,	Scarborough,
	Worthington,	Addison,	Crabb,
	J. J. Mackall,	Fraser,	Chaplin,
	B. Mackall,	Hyland,	Magruder,
	Stoddert,	Hopper,	Hall.
	Smallwood,	Tillotson,	

The House adjourns until Monday Morning at 9 of the Clock.

Monday Morning, June 22, 1752.

June 22

The House met according to Adjournment: The Members were called, and all appeared as on Saturday; except Mr. Waggaman, Mr. Handy, and Mr. C. Goldsborough. The Proceedings of Saturday were read. p. 248

Mr. Richard Gresham and Major Ridgely appeared in the House.

The following Message; viz.

By the Lower House of Assembly, June 22, 1752.

May it please your Honours,

This House, upon considering the Petition of Mr. Nathan Hammond, Sheriff of Anne Arundel County, referred from your House, have appointed Dr. Charles Carroll and Mr. Worthington to join such Members as shall be named by your Honours, to agree with proper Workmen, or such Persons as they shall think proper, to repair and raise the Wall inclosing the Yard belonging to the public Goal in Annapolis: And we agree that a Sum, not exceeding Thirty Pounds Current Money, shall be paid by the Treasurer of the Western Shore, to be applied for such Use; and propose that an Ordinance may be made for that Purpose.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

L. H. J.  
Liber No. 47  
June 22

Was sent to the Upper House by Mr. J. J. Mackall and M. Bond.

The following Message; viz.

By the Lower House of Assembly, June 22, 1752.

May it please your Honours,

It appears to this House, by a Report from the Committee of Accounts (a Copy whereof is herewith sent), that Col. George Gale, Administrator of Col. Levin Gale, has paid the Sum of 8 l. 1 s. 7 d. 2 q. over and above the principal Debt and Interest, due to the Province from the aforesaid Levin Gale, deceased; for the Repayment of which, we propose that the Commissioners of the Paper Office draw on the Trustees in London for the said Sum, payable to the aforesaid Col. George Gale; and that an Ordinance may be made for that Purpose.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Earle and Mr. Gresham.

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to amend and explain an Act entituled, An Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors, &c. near the yearly Meetings of the People called Quakers, &c. Indorsed, "By the Upper House of Assembly, June 20, 1752. Read the second Time, and will pass." Which Bill was read here, and passed for Ingrossing.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the following Message; viz.

By the Upper House of Assembly, June 22, 1752.

Gentlemen,

We concur with you in what you propose in your Message of this Day by Messieurs Mackall and Bond, and do appoint Col. Hammond and Benedict Calvert, Esq; to join with your Members for the Purpose therein mentioned.

Signed per Order, J. Ross, Cl. Up. Ho.

Samuel Chamberlaine, Esq, from the Upper House, delivers to Mr. Speaker the following Message:

By the Upper House of Assembly, June 22, 1752.

Gentlemen,

In Answer to your Message of this Day, relating to the Payment  
p. 249 of the Sum of 8 l. 1 s. 7 d. 2 q. to Col. George Gale, Administrator of Col. Levin Gale, deceased; we agree, that the Commissioners of the Paper Office draw on the Trustees in London for the said Sum, payable to the aforesaid Col. George Gale.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns until 2 of the Clock.

Post Meridiem.

L. H. J.  
Liber No. 47  
June 22

The House met according to Adjournment. All appeared as in the Morning, except Col. Henry, Col. Hooper, and Mr. Sulivane.

Edmund Jennings, Esq; from the Upper House, delivers to Mr. Speaker the Bill entitled, A Supplementary Act to an Act entitled, An Act for issuing and taking out of the Office of the Commissioners or Trustees for emitting Bills of Credit, &c. the Sum of 4500 lb. &c. Indorsed, "By the Upper House of Assembly, June 22, 1752. Read the second Time, and will pass." The Bill entitled, An Act for raising Three Halfpence Sterling for every Hogshhead of Tobacco exported out of this Province, for Payment of an Agent, &c. Indorsed, "By the Upper House of Assembly, June 22, 1752. Read the second Time, and will not pass." And the Bill entitled, An Act for reducing the Allowances of the Members of the Upper and Lower Houses of Assembly, &c. Indorsed, "By the Upper House of Assembly, June 22, 1752. Read the second Time, and will pass, with the following Amendments: Leave out the Words and assessing the Public Levy, in the Title. Leave out the Word Whereas, in the 3d Line: After the Words no more, in the 10th Line; leave out the rest of the Bill, and make the Act perpetual.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Amendments being here read, this House doth not agree thereto.

The Bill entitled, A Supplementary Act, &c. for issuing, &c. 4500 l. was read, and passed for Ingrossing.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entitled, An Act for the Encouragement of the West-India Trade; and the following Message; viz.

By the Upper House of Assembly, June 22, 1752.  
Gentlemen,

We herewith return you the Bill entitled, An Act for Encouragement of the West India Trade, with a Negative; because the Duty on Rum and Spirits is appropriated to defray the Public Charge of the Province; out of which Negroes that are executed for Crimes are paid for; and the Commissions to the Naval Officers, for the Fifteen Pence Sterling per Hogshhead on Tobacco for the Sinking Fund, are to be taken out of the said Duty: And therefore those Articles ought to have been provided for, upon Abolishing of that Duty.

Signed per Order, J. Ross, Cl. Up. Ho.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Journal of Accounts, and the following Message; viz.

L. H. J.  
Liber No. 47  
June 22

By the Upper House of Assembly, June 22, 1752.  
Gentlemen,

We observe that the Allowances mentioned, and referred to by a Message of the 6th Day of June, 1751, from this House, are not inferred in the Journal of Accounts: We therefore return the same, that such Allowances may be made, together with those Articles as have arose due since that Time, and are omitted in the Journal.

Signed per Order, J. Ross, Cl. Up. Ho.

[The Ingrossed Bills, from Number 1 to Number 16, were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by Major Hall and Mr. Earle.]

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 23

Tuesday Morning, June 23, 1752.

The House met according to Adjournment: The Members were called, and all appeared as yesterday Afternoon, except Mr. Bond, Mr. Mills, Capt. Williamson, Mr. Rasin, Mr. Reynolds, Mr. Stodert, Mr. Smallwood, Mr. J. Goldsborough, Mr. Oldham, Mr. Edmonson, Mr. George, Mr. Pearce, Mr. Purnell, Major Selby, Mr. Evans, and Col. Scarborough.

Mr. Wootton, from the Committee of Accounts, delivers to Mr. Speaker Col. Lloyd's Account, for Moneys received by him, as Treasurer of the Eastern Shore; which was read, and sent to the Upper House by Mr. Hollyday and Mr. Gantt.

Mr. Abraham Falconar, a Delegate returned to serve in this Assembly for Kent County, appeared in the House.

Ordered, That Mr. Gresham and Mr. Hopper do go with him to the Upper House to see him qualified: They return, and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

The following Ingrossed Bill entituled, A Supplementary Act, to an Act entituled, An Act for issuing and taking out of the Office of the Commissioners or Trustees, &c. 4500 l. Current Money, &c. was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by Major Barnes and Mr. Buchanan.

A Petition of William Hynson, of Kent County, preferred to this House complaining of an undue Election had in favour of Mr. Abraham Falconar, for Kent County aforesaid, was read and referred to the Consideration of next Assembly.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bills (the Ingrossed Bills of which had been severally read and assented to by both Houses), severally Indorsed,

“ By the Upper House of Assembly, June 23, 1752. The Ingrossed Bill, whereof this is the Original, is read and assented to. L. H. J.  
Liber No. 47  
June 23

Signed per Order, J. Ross, Cl. Up. Ho.”

Ordered, That Mr. Key and Col. Harrison do acquaint the Honourable President, that no Business lies before this House to transact.

Col. Hammond and B. Calvert, Esq; from the Upper House, acquaint Mr. Speaker, that his Honour the President requires the Attendance of the Lower House in the Upper House.

Mr. Speaker left the Chair, and (with the Members of the Lower House) went to the Upper House; where he presented to his Honour the President [the following 16 engrossed bills viz: see pages 76-97.] pp. 252, 253

All which his Honour the President passed into Laws in the usual Form, and made the following Speech:

Gentlemen of the Upper and Lower Houses of Assembly,

The Business of this Session being at an End, I have thought fit, with the Advice of his Lordship's Council of State, to prorogue the Assembly to the first Tuesday in October next; and you are to take Notice you are prorogued to that Day accordingly.

So endeth this Session of Assembly, this Twenty-third Day of June, in the Year of our Lord 1752.

Test. M. Macnemara, Cl. Lo. Ho.

## ACTS OF ASSEMBLY PASSED IN JUNE 1752

Liber B. L. C. At a Session of Assembly begun and held at the City of An-  
napolis the third day of June in the second year of the Dominion  
p. 555 of the Right Honourable Frederick Absolute Lord and Proprietary  
of the Province of Maryland and Avalon Lord Baron of Baltimore  
&c.<sup>a</sup> Annoq Domini 1752 and ending the twenty third day of the  
same Month.

The following Laws were Enacted and Assented to by the Honble  
Benja Tasker Esq.<sup>r</sup> President.

No. 1 An Act to prevent disabled and superannuated Slaves being set  
free, or the Manumission of Slaves by any last Will or Testa-  
ment.

[Preamble] Whereas sundry Persons of this Province have set disabled  
and superannuated Slaves free who have either perished through  
Want, or otherwise become a Burthen to others: And inasmuch  
as giving Freedom to Slaves, by any last Will and Testament, may  
be attended with many Evils; it is therefore humbly prayed that it  
may be Enacted;

[Slaves who are old, and incapable of working not to be set at Liberty; but to be provided for by the Owner.] And be it Enacted by the Right Honourable the Lord Proprietary,  
by and with the Advice and Consent of his Lordship's President,  
and the Upper and Lower Houses of Assembly, and the Authority  
of the same, That it shall not be lawful for any Person or Persons  
within this Province, to give or grant Freedom to any Slave or  
Slaves disabled to work, or gain a sufficient Livelihood and Main-  
tainance; but that in all such Cases, any Master, Mistress, or Owner  
of such Slave or Slaves, at the proper Cost and Charge of such  
Master, Mistress, or other Person owning such Slave or Slaves, shall  
support and maintain such Slave or Slaves, during the natural Life  
or Lives of such Slave or Slaves, in Food and Cloathing fitting and  
needful for such Slave or Slaves; whereby he, she, or they may not  
become a Burthen to others, or perish through Want, to the great  
Scandal of Christian Society.

[No Slaves to be set free by any last Will and Testament.] And be it further Enacted, That it shall not be lawful for any  
Person or Persons within this Province, by any verbal Order, or  
by his, her, or their last Will and Testament, or by any other Instru-  
ment of Writing, in his, her, or their last Sickness, whereof he, she,  
or they shall die, to give or grant Freedom to any Slave or Slaves:  
And if any Person or Persons, after the Time aforesaid, shall, by  
any verbal Order, or by his, her, or their last Will and Testament,  
or by any other Writing or Instrument, in his, her, or their last  
Sickness whereof he, she, or they shall die, give Freedom to any  
Slave or Slaves, such Order, Will, or other Writing shall be void  
and of no Effect, so far as relates to such Freedom or Manumission  
only.



And be it likewise Enacted, That if any Master, Mistress, Owner or Owners for any Slave or Slaves, grown old and incapable of Labour, or otherwise disabled by Sickness or Accident, shall neglect to provide for such old or disabled Slave necessary Food and Cloathing, or shall suffer any Slave or Slaves whatsoever to depart from his, her, or their respective Habitation or Quarter, or to wander about begging, whereby such Slave or Slaves may become Burthen-some to the Neighbourhood wherein they have resided, or others, it shall and may be lawful for the County Court where such Master, Mistress, Owner or Owners of such Slave or Slaves shall reside, upon Presentment of the Grand Jury, to issue their Warrant against such Master, Mistress, Owner or Owners of such Slave or Slaves, and to cause such Master, Mistress, Owner or Owners of such Slave or Slaves to appear before them; and if, upon Examination in a summary Way, it shall appear to such Court that such Master, Mistress, Owner or Owners of such Slave or Slaves did not provide necessary Food and Cloathing, or did suffer such Slave or Slaves to depart and wander, contrary to the Intent and Meaning of this Act, such Court is hereby directed and impowered to cause such Master, Mistress, Owner or Owners of such Slave or Slaves, to enter into Recognizance, in the Penalty of Four Pounds Current Money, to be taken to, and in the Name of the Right Honourable the Lord Proprietary for the Time being, and his Successors for the Use of such County; with Condition that such Master, Mistress, owner or Owners of such Slave or Slaves, his, her, or their Executors or Administrators, shall provide sufficient Food and Cloathing for such Slave or Slaves, during the Continuance of this Act; and not suffer such Slave or Slaves to depart or wander, contrary to the Intent and Meaning of this Act. Provided, That if any Slave or Slaves shall run away or abscond from the Service of his or her Master, Mistress, Owner or Owners, contrary to the Will of such Master, Mistress, Owner or Owners, such running away and absconding shall not be construed, deemed, or taken to be a departing and wandering within the Intent and Meaning of this Act.

Liber B. L. C.

[Superannuated Slaves not to be suffered to wander abroad, or beg.]

[Penalty in case of Default.]

p. 556

[Proviso.]

And to the End that hereafter there may be an uniform and regular Manner of granting Freedom to Slaves, Be it likewise Enacted, That where any Person or Persons, possessed of any Slave or Slaves within this Province, who are or shall be of healthy Constitutions, and sound in Mind and Body, capable by Labour to procure to him or them sufficient Food and Raiment, with other requisite, Necessaries of Life, and not exceeding fifty Years of Age; and such Person or Persons possessing such Slave or Slaves as aforesaid, and being willing and desirous to set free or manumit such Slave or Slaves, may, by writing under his, her, or their Hand and Seal, evidenced by two good and sufficient Witnesses at least, grant to such Slave or Slaves his, her, or their Freedom: And that any Deed or Writing, whereby Freedom shall be given or granted to any

[Manner of setting free, or manumitting Slaves.]

Liber B.L.C. such Slave, which shall be intended to take Place in futuro, shall be good to all Intents, Constructions, and Purposes whatsoever, from the Time that such Freedom or Manumission is intended to commence by the said Deed or Writing, so that such Deed and Writing be not in Prejudice of Creditors, and that such Slave, at the Time such Freedom or Manumission shall take Place or commence, be not above the Age aforesaid, and be able to work, and gain a sufficient Livelihood and Maintenance, according to the true Intent and Meaning of this Act; which Instrument of Writing shall be acknowledged before one Justice of the Peace of the County wherein the Person or Persons granting such Freedom shall reside; which Justice shall Indorse, on the Back of such Instrument, the Time of the Acknowledgement, and the Party making the same; which he or they, or the Parties concerned shall cause to be entered among the Records of the County Court, where the Person or Persons granting such Freedom shall reside, within six Months after the Date of such Instrument of Writing: And the Clerk or Clerks of the respective County Courts within this Province shall, immediately upon the Receipt of such Instrument, Indorse the Time of his receiving the same, and shall well and truly enroll such Deed or Instrument in a good and sufficient Book in Folio, to be regularly Alphabetted in the Names of both Parties, and to remain in the Custody of the said Clerk or Clerks for the Time being, among the Records of the respective County Courts; and that the said Clerk or Clerks shall, on the Back of every such Instrument, in a full legible Hand, make an indorsement of such Inrollment, and also of the Folio of the Book in which the same shall be enrolled, and to such Indorsement set his Hand, the Person or Persons requiring such Entry, paying the usual and legal Fees for the same.

And be it likewise Enacted, That a Copy of such Record, duly attested under the Seal of such Office, shall, at all Times hereafter, be deemed, to all Intents and Purposes, good Evidence to prove such Freedom.

[Duty of Justices, for the due Observance of this Act.] And to the End that this Act may be duly observed, the Justices of every County Court within this Province respectively, shall, at their respective County Courts to be held in March yearly, give in Charge to the respective Grand Juries of each respective County, to enquire into any Breaches made contrary to this Act.

[Continuance of this Act.] This Act to continue for three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said three Years.

22.<sup>d</sup> June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl to ho.

On behalf of the Right  
Hon<sup>ble</sup> the Lord Proprietary  
of this/Province I  
will this be a Law/  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax appendant

23 June 1752  
Read and Assented to  
by the Upper/House of  
Assembly/  
Signed p Order  
J. Ross Cl Up Ho.

No. 2 An Act directing the Manner of punishing Fornication and Adultery before a single Justice of the Peace, out of Court. Liber B. L. C.  
p. 557

Whereas it is found by Experience, that much Time is taken up in carrying on Prosecutions against Persons committing Fornication and Adultery, to the great Delay of the other Criminal, as well as the Civil, Business, which is much increased of late. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietor, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the first Day of October next, it shall and may be lawful for any Justice of the Peace, in the County where any white Bastard Child shall be born, and such Justice is hereby required, upon Information had thereof, to issue his Warrant, directed to some Constable of the said County, against the Mother of such Bastard Child, and also against the Father of such Child, upon Oath made by the Mother of the said Child, to cause the Mother and reputed Father of the said Bastard, or either of them, to be brought before him, or some other Justice of the Peace for the said County, to answer the same and upon Confession thereof made by the Mother and reputed Father of such Bastard Child, or either of them, to proceed to fine such Mother and reputed Father, or either of them, if for Adultery, the Sum of Five Pounds, Current Money, or Eight Hundred Pounds of Tobacco; and if for Fornication only, the Sum of Thirty Shillings Current Money, or Two hundred and forty Pounds of Tobacco; as the Case may happen: But if such Mother and reputed Father, or either of them, shall deny the Charge, that then and in such Case the Justice shall not proceed to Judgment thereon, but shall bind over by Recognizance such Mother and reputed Father, or either of them, to the County Court to be held next for the said County, to answer the Charge aforesaid, to be there tried according to the due Course and Order of Law; any Thing in this Act to the contrary in any wise notwithstanding. [Justices to  
issue War-  
rants to  
bring before  
them the  
Parents of  
Bastard  
Children.]  
  
[Fines on  
Adultery  
and Forni-  
cation.]

And be it further Enacted, That in case any Mother of a Bastard Child shall refuse to discover the Father as aforesaid, then she shall, over and above the Fine aforesaid for her own Offence, be fined by the Justice aforesaid, or County Court, as the Case may happen, in a summary Way, the further Sum of Thirty Shillings Current Money, or two hundred and Forty Pounds of Tobacco, and be ordered and adjudged by the Justice aforesaid, or by the County Court, as the Case may happen, to give good Security to keep such Bastard Child from becoming a Charge to the County; and for Want of such Security, she shall by the said Justice, or by the County Court, as the Case may happen, be committed to the public Goal of the said County, until she shall willingly do the same: And in case such Discovery shall be made in Manner aforesaid, then and [Mothers of  
Bastards,  
refusing to  
discover the  
Father, to  
pay a double  
Fine, Etc.]

Liber B. L. C. in such Case the Father of such Child, being legally convicted in Manner aforesaid, shall over and above the Fine aforesaid, be ordered and adjudged by the Justice aforesaid, or the County Court, as the Case may happen, to give good Security to keep such Bastard Child from becoming a Charge to the County, and for want of giving such Security, he shall by the Justice aforesaid, or by the County Court, as the Case may happen, be committed to the public Goal of the said County until he shall willingly do the same; and such

p. 558 Mother of the said Child shall be thereof discharged.

And be it likewise Enacted, That if the Mother of such Bastard Child will not discover the Father as aforesaid, and shall be unable or unwilling to pay her Fine in Manner aforesaid; or if upon such Discovery as aforesaid, such reputed Father shall be unable or unwilling to pay his Fine, and the Charges as aforesaid, then and in every such Case, such Mother or Father respectively, as the Case may happen, shall be obliged to give good Security to the Right Honourable the Lord Proprietor for the Payment of such Fines by a certain Day, not less than twelve Months from the Time of giving such Security, to be taken by the Justice aforesaid, or by the County Court, as the Case may happen; and for Default of such Security, to be committed to the public Goal of the said County, until such Mother or Father of such Bastard Child shall willingly do the same.

And be it likewise Enacted, That the several Justices aforesaid are hereby authorized and required to receive the same Fines, and to make Payment thereof to the Sheriff of the County aforesaid, for the Time being, to and for the Use of such County, and shall take his Receipt for the same; and shall, at every Court to be held for such County, make and return to such Court a List under his Hand, what Fines he hath so received, together with the said Sheriff's Receipt for the same, to be lodged with the Clerk of the said Court; and shall also certify and return to the next County Court, under his Hand and Seal, the Conviction of such Person before him, and all Recognizances by him so as aforesaid taken, to be recorded by the Clerk of the said Court among the Records thereof; for all which Services, the Clerk of the said Court shall have and receive his legal Fees; which said Conviction, so recorded, shall be good and sufficient in Law to all Intents, Constructions, and Purposes, and of the same Force and Effect, as if the said Judgment and Conviction had been legally had in the same Court; any Law, Usage, or Custom to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That it shall be the Duty of the Constables of the several Hundreds in every County within this Province, and they are hereby directed and required, to make Information to some Magistrate in their respective Counties, against the Mother and reputed Father of every such Bastard Child.

And be it likewise Enacted, That upon every Conviction before a single Magistrate out of Court, in Manner aforesaid, the Justice shall be intitled to a Fee or Reward of Five Shillings; and the Constable, for serving every Warrant against such Mother or reputed Father, the Sum of Two Shillings and Six Pence, and no more, to be paid by the Party so convicted.

Liber B. L. C.

[Justices and Constables Fees.]

And be it further Enacted, That if any Woman shall be with Child, which Child when born shall by the Laws of this Province be a Bastard, and shall confess the same before some Justice of the Peace, and make Oath to the Begetter of such Child, that then and in such Case the Justice aforesaid shall bind over such Woman, and the Begetter of such Child, to the next Court to be held for the said County, in which Court the Parties shall be kept bound 'til after the Delivery of the said Woman of such Bastard Child, and until the same Method of Proceeding shall be had before a single Justice of the Peace, or County Court, as the Case may happen, against such Woman and the Begetter of such Child, for Recovery of the Fines of and from such Woman, and Begetter of such Child, and securing the County, as is directed by this Act in like Cases.

[Single Women with Child, confessing the Begetter, to be bound over with such Begetter, to the next County Court.]

And be it further Enacted, That no County Court within this Province shall take Cognizance, or proceed to hear, try, and determine any such Fornication or Adultery as aforesaid, where the Parties charged therewith shall willingly confess the same, before some Justice, according to the Directions of this Act.

[Parties confessing the Sin of Adultery or Fornication, not to be under Cognizance of the County Court.]

Provided nevertheless, That where any Person or Persons have been bound over to answer for Fornication or Adultery, or that have been presented or indicted for the same, or that shall at any Time, before the first Day of October next, be presented or indicted for such Offence; that then the several and respective County Courts shall proceed to final Judgment thereon, against the Person or Persons so offending; any Thing in this Act to the contrary in any wise notwithstanding.

[Proviso.]

This Act to continue for three Years from the first Day of October next, and unto the End of the next Session of Assembly which shall happen after the said three Years.

[Continuance of this Act.]

22.<sup>d</sup> June 1752  
Read and Assented to  
by the Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup> the Lord Propr<sup>y</sup>  
of this Province I will  
this be a Law  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax appendant

23 June 1752  
Read and Assented to  
by the Upper/House of  
Assembly/  
Signed p Order  
J. Ross Cl Up Ho.

- No. 3 An Additional and Supplementary Act to the Act entituled, "An  
 Liber B.L.C. Act for the better Administration of Justice in Testamentary  
 p. 559 Affairs, granting Administrations, Recovery of Legacies, securing  
 filial Portions, and Distribution of Intestates Estates."

[Preamble.] Whereas it hath been a Doubt, whether Persons chosen by Orphans, of the Age of fourteen Years, or upwards, to be Guardians to such Orphans, are by Law obliged by the said Act to give Security, upon their Acceptance of the Guardianship, to pay and deliver unto such Orphans their Estates at their respective Ages, when by Law they shall be intitled to receive the same; for Removal of which Doubt,

[Guardians chosen by Orphans to give Bond.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the several and respective County Courts within this Province may and shall, and they are hereby impowered and directed, upon the Choice of any Guardian or Guardians by any Orphan or Orphans, who shall be of Age to choose their Guardians, to cause such Guardian or Guardians, upon their Acceptance of the Guardianship, to enter into Bond, with two sufficient Sureties, in the Names of the Orphans themselves, for the securing and delivering the Estates of such Orphans, which shall come to their Hands and Possession, to the said Orphans, their Executors or Administrators, when thereunto lawfully called according to the Rules and Directions of the said Act.

[On such Bond being received, an Order to be given by the County Court for Delivery of such Orphan's Estate.] And be it further Enacted, by the Authority, Advice, and Consent aforesaid, That upon such Security being given, the Court, before whom the same shall be given, shall make an Order for the delivering and paying the Estate of such Orphan into the Hands of such Guardian; and that no Executor, Administrator, or former Guardian shall pay or deliver unto such Guardian so chosen, the Estate of such Orphan, in his, her, or their Hands being, until such Guardian so chosen shall have entered into Bond, according to the Directions of this Act, and shall have delivered unto such Executor, Administrator, or former Guardian a Copy of such Order, under the Hand of the Clerk of such Court.

[Such Guardians, on Occasion, to be obliged to give new or better Security.] And be it further Enacted, That the several County Courts within this Province respectively, shall have Power and Authority, when and as often as they shall find necessary, to oblige such Guardian or Guardians to give new and better Security; and upon such Guardian or Guardians Refusal, to proceed therein according to the Directions of an Act of Assembly entituled, An Additional and Supplementary Act to the several Acts for Administration of Justice in Testamentary Affairs; in case where any Guardian, or other Person, in

Possession of any Orphan's Estate, should refuse to give new or better Security for such Estate. Liber B.L.C.

22.<sup>d</sup> June 1752  
Read and Assented to  
by the Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup>/the Lord Propr<sup>y</sup>  
of this Province/I will  
this be a Law

Benj.<sup>a</sup> Tasker

the great seal in  
Wax appendant

23 June 1752  
Read and Assented to  
by the Upper/House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.

No. 4 An Act for dividing of certain Warehouses in Kent County, therein named.

Whereas, the Inhabitants of the lower Part of Kent County, by their Petition, have represented to this General Assembly, that the Warehouses for Inspecting Tobacco at Capt. Samuel Tovey's on Grays-Inn Creek, and that on Langford's Bay, in the said County, now under one Inspection, are at so great a Distance from each other, as renders the Office of Inspectors at the said Warehouses very inconvenient, and difficult to be duly executed; which is likely to discourage Persons, well qualified to execute the said Office, from acting, upon their Appointment thereto; and have prayed that an Act may pass to put the said Warehouses under separate Inspections. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the ninth Day of November next, the said Warehouses above-mentioned shall be under two separate and distinct Inspections; and that the Warehouse at Tovey's shall be under one Inspection; and the Warehouse on Langford's Bay shall be under one Inspection; any Thing in the Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, to the contrary in any wise notwithstanding. p. 560

And be it further Enacted, That the Vestrymen and Churchwardens of St. Paul's Parish in Kent County aforesaid, or the major Part of them, shall and they are hereby required, at some Time between the first and the tenth Days of September yearly, and every Year during the Continuance of this Act, to meet together at their Parish Church, and to nominate and recommend to the Governor or Commander in Chief of this Province for the Time being, Four able and sufficient Planters, well skilled in Tobacco, as Inspectors, for each and every of the said Inspections, by this Act above established, and shall forthwith transmit to the Governor or Commander in Chief, for the Time being, Certificates of such Nomination and Recommendation, in the same Manner as in like Cases is required and directed. [Inspectors to be nominated, and by whom.]

Liber B.L.C. And be it further Enacted, That the Inspectors so to be chosen and appointed, and who shall accept of the Office of Inspectors at the said Warehouses, shall, and they are hereby obliged to give their constant Attendance at the said Warehouses respectively, three Days in every Week, between the said ninth Day of November and the last Day of August then next, and so yearly and every Year during the Continuance of this Act, for the Performance of their Duty as Inspectors at the said Warehouses respectively: And that there shall be paid to the said Inspectors, which shall attend at the said Warehouses by this Act as aforesaid divided and established, the Salaries hereafter mentioned; that is to say, to each Inspector for the Warehouse at Tovey's, the Sum of Twenty-five Pounds Current Money per Annum, and no more; and to each Inspector for the Warehouse on Langford's Bay, the Sum of Twenty-five Pounds Current Money per Annum, and no more; any other Act to the contrary notwithstanding.

[Continuance of this Act.] This Act to continue until the first Day of December, which shall be in the Year of our Lord One thousand seven hundred fifty and three.

22 June 1752  
Read and Assented to  
by the Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup> the Lord Proprietary  
of this Province I  
will this be a Law/  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax appendant

23 June 1752  
Read and Assented to  
by the Upper House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.

No. 5 An Act continuing an Act entituled, "An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, Queen Anne's, and Talbot; and for destroying red Foxes in the said Counties:

[An Act continued.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, Queen Anne's, and Talbot; and for destroying red Foxes in the said Counties, made at a Session of Assembly begun and held at the City of Annapolis, the twenty-fourth Day of May, Anno Domini Seventeen hundred forty and nine, be and is hereby continued, and to be and remain in Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the End of the said three Years.

22.<sup>d</sup> June 1752  
Read and Assented to  
by the Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup> the Lord Proprietary  
of this Province/I  
will this be a Law/  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax appendant

23 June 1752  
Read and Assented to  
by the Upper House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.



No. 6 A Supplementary Act to an Act entitled, "An Act to enable the Justices of Charles County to assess and levy on the taxable Inhabitants of that Part of the late Rev. Mr. Donaldson's Parish, which lies in the said County, fifty-thousand Pounds of Tobacco, and for other Purposes therein mentioned." Liber B.L.C.

Whereas the Rector, Vestrymen, and Churchwardens of Trinity Parish in Charles County, have by their Petition to this General Assembly set forth, that the Justices of Charles County aforesaid did not, for want of Application, levy on the taxable Inhabitants of Trinity Parish aforesaid, in November Court, One thousand seven hundred and fifty one, one third Part of the Tobacco which, by the above recited Act, they were impowered to do, amounting to the Quantity of Eighteen thousand three hundred thirty and three Pounds of Tobacco. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Charles County, upon the Application of the Rector, Vestrymen, and Churchwardens of Trinity Parish in Charles County aforesaid, to them to be made, at November Court, which shall be held for the County aforesaid in the Year of our Lord One thousand seven hundred fifty and four, it shall and may be lawful for the said Justices, and they are hereby impowered and directed to levy on the taxable Inhabitants of Trinity Parish aforesaid, the said Sum of Eighteen thousand three hundred thirty and three Pounds of Tobacco, together with the Sheriff's Salary of five Pounds of Tobacco per Centum for collecting the same, to be applied and laid out as the aforesaid Act entitled, An Act to enable the Justices of Charles County to assess and levy on the taxable Inhabitants of that Part of the late Rev. Mr. Donaldson's Parish, which lies in the said County, Fifty-five Thousand Pounds of Tobacco, and for other Purposes therein mentioned, directs, and not otherwise. [18333 lb. of Tobacco to be levied on the said Parish, in 1754.]

22<sup>d</sup> June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup>/the Lord Prop<sup>ty</sup>  
of this Province/I will  
this be a Law/  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

23<sup>d</sup> June 1752  
Read and Assented to  
by the/Upper House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.

No. 7 A Supplementary Act to the Act entitled, "An Act for the Appointment of Constables and what relates to their Office: and ascertaining what Persons are Taxables."

Whereas, by the above-recited Act, it is amongst other Things Enacted, "That the Justices of Peace in every respective County of this Province, at the first County Court held after Michaelmas, [Preamble.]

Liber B. L. C. shall appoint Constables in each Hundred of their several and re-  
 p. 562 spective Counties; and the said Constables so appointed shall before  
 they enter into that Office, take the several Oaths appointed to be  
 taken by all Officers, by the Acts of Assembly of this Province,  
 and the Oath of a Constable." And whereas it often happens, that  
 the Persons so appointed as aforesaid delay taking the Oaths afore-  
 said, by which Means the Hundred, for which such Person is ap-  
 pointed, remains a considerable Time without a Constable.

[Manner of  
 appointing  
 Constables.] Be it therefore Enacted by the Right Honourable the Lord Pro-  
 prietary, by and with the Advice and Consent of his Lordship's  
 President, and the Upper and Lower Houses of Assembly, and the  
 Authority of the same, That from and after the End of this Session  
 of Assembly, the Clerk of every County Court respectively, after the  
 Appointment of every Constable in such County, shall signify such  
 Appointment under his Hand, and deliver the same to the Sheriff of  
 the said County within five Days after every such Appointment,  
 under the Penalty of Twenty Shillings, to be recovered before a  
 single Magistrate as in case of small Debts, to and for the Use of  
 the County where such Neglect of Notice shall be made: And the  
 Sheriff shall, within ten Days after such Delivery as aforesaid,  
 deliver the same to each respective Person so appointed as aforesaid,  
 or leave the same at his usual Place of Abode, under the Penalty of  
 Twenty Shillings Current Money, to be recovered in Manner afore-  
 said to the Use aforesaid; And every Person so appointed as  
 aforesaid, that shall not within five Days after such Notice, qualify  
 himself, by taking the Oaths appointed by the said recited Act shall  
 incur the Penalty mentioned in the said Act, to be recovered as by  
 the same Act is directed, and applied to the Use therein mentioned.

[Penalty on  
 Constables  
 not taking  
 the Oaths.] And whereas there is no Provision made by the above-recited  
 Act for the Appointment of Constables on the Death or Removal of  
 any Constable, who shall die or remove before he hath served his  
 due Time in that Station limited by Law, or that shall refuse to qual-  
 ify upon any Appointment, according to the directions of this and the  
 above-recited Act: For Remedy whereof, Be it likewise Enacted,  
 That where any such Constable shall die, or remove out of the  
 County in which he shall be appointed, either before or after his  
 Qualification in Manner aforesaid, or that shall refuse or neglect to  
 qualify on such Appointment in Manner aforesaid; that then and in  
 such Case, it shall and may be lawful for any two of the next  
 Justices of the Peace, in the County where such Death, Removal, or  
 Refusal shall happen, and they are hereby required forthwith to  
 appoint another proper Person in the said Hundred, to be Constable,  
 in the Place and Stead of such Constable so dead, removed, or refus-  
 ing; which Person, by the Justices aforesaid so appointed, upon their  
 Certificate of such Appointment to him delivered, shall, within the  
 Time aforesaid, and according to the Directions of this and the  
 above-recited Act, qualify himself in the same Manner and Form,

[Duty of  
 Justices, in  
 case of the  
 Death or  
 Removal of  
 a Constable.]

and be subject to the same Penalties imposed by this and the above recited Act, on all Constables who shall be appointed at the first County Courts which shall be held after Michaelmas, respectively are. Liber B. L. C.

22.<sup>d</sup> June 1752  
/Read and Assented to  
by the/Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup>/the Lord Prop<sup>r</sup>  
of this Province/I will  
this be a Law/

the great seal in  
Wax Appendant

23.<sup>d</sup> June 1752  
Read and Assented to  
by the/Upper House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.

No. 8 A Supplementary Act to an Act entituled, "An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers."

Whereas, by the Act of Assembly entituled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers, or by any other Law of this Province, there is not any express Provision made how, or in what Manner, the Acknowledgement of any Feme Covert, named as a Grantor, Bargainor, or Donor, in such Deed indented or mentioned in the said Act, for the conveying Lands, Tenements, or Hereditaments, which lay within this Province, wherein such Feme Covert hath the Estate of Inheritance, or taken only to bar her of Dower, where she resides out of this Province, shall be taken: For Remedy whereof, and to direct the Method of taking the Acknowledgement of such Feme Coverts for the future, it is humbly prayed that it may be Enacted, p. 563

And be it Enacted by the Right Honourable the Lord Proprietor, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, where any Lands, Tenements, or Hereditaments, lying and being within this Province, shall be conveyed by any Deed whatsoever, wherein any Feme Covert shall be named as a Bargainor or Vendor, for transferring her Estate of Inheritance in such Lands, Tenements, or Hereditaments, as aforesaid, or wherein such Feme Covert may have Right or Claim of Dower, only where any such Feme Covert as aforesaid shall, at the Time of her executing such Deed, reside and be out of this Province, in Great-Britain, Ireland, or within any Province or Colony within his Majesty's Dominions, it shall and may be lawful for any such Feme Coverts to acknowledge such Deed; and be examined apart from, and out of the Hearing of her Husband, before the Mayor of some Corporation within Great-Britain or Ireland, or before one of the Justices of the Supreme or Provincial Court of such Province or Colony within his Majesty's Dominions, whether she doth make her Acknowledgement of the same willingly and freely, and without being induced thereto [Feme Coverts may dispose of Lands Etc. lying within this Province, though themselves be at the same time in any other Part of his Majesty's Dominions.]

Liber B.L.C. by Fears or Threats of, or ill Usage by her Husband, or Fear of his Displeasure; and the Mayor or Justice so taking such Acknowledgement as aforesaid, and certifying the said Examination and Acknowledgement, by an Indorsement upon such Deed or Writing, under his Hand and the Seal of such Corporation, where taken before a Mayor, or the Seal of the Province or Colony within his Majesty's Dominions where taken; and a Certificate of such private Examination and Acknowledgement, so aforesaid to be taken and made, shall be adjudged and deemed good and available in Law to all Intents, Constructions, and Purposes whatsoever, to bar such Feme Covert of her Right of Inheritance or Dower, as the Case may be, to the said Lands, Tenements, and Hereditaments, according to the Purport of such Deed or Acknowledgement, as fully and effectually as if, at the Time of executing and acknowledging such Deed, she had been residing within this Province, and had here made such Acknowledgement agreeable to the Direction of the aforesaid Act, and no further or otherwise; any Law, Usage, or Custom, to the contrary in any wise notwithstanding.

22.<sup>d</sup> June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince/I will this be a Law  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

23 June 1752  
Read and Assented to  
by the/Upper House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.

No. 9 An Act for the destroying Squirrels and Crows in the several Counties therein mentioned.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the first Day of August next, every taxable Person or Persons within the Counties of Somerset and Worcester shall, and they are hereby obliged, for every taxable person they shall pay Levy for that Year, to produce to some Justice of the Peace within the said Counties respectively, yearly and every Year, three Scalps of Squirrels, or three Crows Heads, more than directed by an Act entituled, An Act to encourage the destroying Wolves, Crows, and Squirrels, under the like Penalty, upon Failure, as directed by the former Act.

And be it likewise Enacted, That the Justice or Justices, before whom such Scalps or Heads shall be so produced, shall give a Certificate of the Number of Scalps or Heads, to the Person or Persons so producing the same; and also return to the then next November Court, yearly, a List of the Number of Scalps and Heads to such Justice or Justices produced, and by whom, and the respective Justices before whom such Scalps or Heads shall be produced, shall,

[Additional  
Number of  
Squirrels  
and Crows  
Heads re-  
quired for  
each Tax-  
able in the  
Counties of  
Somerset and  
Worcester.]

p. 564

[Of Justices  
receiving  
such Scalps  
or Heads.]

after reckoning the same, cause them to be burnt in his or their Presence. Liber B. L. C.

And be it likewise Enacted, That all that Part of an Act of Assembly of this Province entituled, An Act to encourage the destroying of Wolves, Crows, and Squirrels, made at a Session of Assembly begun and held at the City of Annapolis the third Day of October, One thousand seven hundred twenty and eight, so far as relates to the Allowance of two Pounds of Tobacco for every Scalp of a Squirrel, or every Crow Head, to be killed in the Counties of St. Mary's, Anne Arundel, Charles, Prince George's Calvert, Frederick, Somerset, and Worcester, over and above the Number of three Squirrels Scalps, or Crows Heads, to be produced yearly by every taxable Person in the said Counties, be and is hereby annulled, abrogated, and made void; the said recited Act, or any Thing therein contained, or any other Law, to the contrary thereof in any wise notwithstanding. [Part of an Act repealed.]

And be it further Enacted, That it shall and may be lawful for the several and respective Inhabitants of such Counties within this Province, wherein any Allowance shall be made in Tobacco for Squirrel Scalps or Crows Heads in such County Levy, to pay and discharge the said several and respective Sums of Tobacco in Current Money, in the same Manner as they are enabled to pay and discharge the Public or County Levy. [Persons allowed to discharge the Scalps, Etc. in Money.]

This Act to continue for three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of three Years. [Continuance of this Act.]

22.<sup>d</sup> June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup> the/Lord Prop<sup>ry</sup>  
of this Province/I will  
this be a Law  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

23 June 1752  
Read and Assented to  
by the/Upper House of  
Assembly/  
Signed p Order  
J. Ross Cl Up Ho.

No. 10 An Act directing the former Sheriffs of the several Counties within this Province, their Heirs, Executors, or Administrators, to account with the Justices of the several County Courts for the Tobacco therein mentioned.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the several and respective Sheriffs, by whom the Tobacco, has been collected, in Pursuance of an Order of Council, dated the thirteenth Day of September, Seventeen hundred forty and four, their Heirs, Executors, or Administrators, shall, and they are hereby required and directed to account with and pay to the Justices of the several and respective County Courts within this Province, where the same was collected, the One Pound of Tobacco per Poll [Sheriffs of the respective Counties to collect and pay the One Pound of Tobacco per Poll, collected by Order of the Council in 1747, to the several counties.]

Liber B. L. C. by them the said Sheriffs so as aforesaid collected, retaining their  
 p. 565 legal Commissions for the Collection thereof, and a Deduction of one fourth Part of the whole, as in Cases of Debts, being made to the Sheriffs; to be applied by the Justices aforesaid towards defraying the Charges of the several and respective Counties, where the One Pound of Tobacco per Poll as aforesaid, or any Part thereof, has been collected and received, and not otherwise; any Law, Usage, or Custom to the contrary notwithstanding.

[Proviso, with Respect to Frederick County.] Provided always, and it is hereby Enacted, That the Sheriff of Prince George's County, who collected the aforesaid Pound of Tobacco per Poll, his Heirs, Executors, or Administrators, shall, and he or they are hereby directed and obliged to pay a proportionable Part or Share of the said One Pound of Tobacco per Poll, so as aforesaid collected, unto the Justices of Frederick County, for the Uses aforesaid, in Proportion to the Number of Taxables in the several Hundreds at the Time of collecting the same, since separated from the said Prince George's County, and erected into a County by the Name of Frederick County aforesaid.

22.<sup>d</sup> June 1752  
 Read and Assented to  
 by the Lower House of  
 Assembly/  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Hon<sup>ble</sup> the/Lord Prop<sup>ry</sup>  
 of this Province I will/  
 this be a Law  
 Benj.<sup>a</sup> Tasker

23 June 1752  
 Read and Assented to  
 by the Upper/House of  
 Assembly/  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 11 An Act continuing an Act entituled, "An Act for ascertaining the  
 [An Act continued.] Allowance of Petit Jurors attending the Provincial Court, to limit Costs with Respect to Witnesses, and for settling their Allowance as to itinerant Charges."

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court, to limit Costs with Respect to Witnesses, and for settling their Allowance as to itinerant Charges, made at a Session of Assembly begun and held at the City of Annapolis the twenty-fourth Day of May, Anno Domini One thousand seven hundred forty and nine, be and is hereby continued, and to be and remain in Force for and during the Term of three Years, and unto  
 [Continuance of this Act.]

the End of the next Session of Assembly that shall happen after the Liber B. I. C.  
End of the said three Years.

22<sup>d</sup> June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince/I will this be a Law  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

23 June 1752  
Read and Assented to  
by the Upper/House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.

No. 12 An Act continuing an Act entitled, "An Act continuing an Act  
entituled, An Act for the speedy and effectual Publication of the  
Laws of this Province, and for the Encouragement of Jonas  
Green, of the City of Annapolis, Printer."

Bt it Enacted by the Right Honourable the Lord Proprietary, by  
and with the Advice and Consent of his Lordship's President, and  
the Upper and Lower Houses of Assembly, and the Authority of the  
same, That an Act of Assembly of this Province entituled, An Act  
continuing an Act for the speedy and effectual Publication of the  
Laws of this Province, and for the Encouragement of Jonas Green,  
of the City of Annapolis, Printer, made at a Session of Assembly  
began and held at the City of Annapolis the eighth Day of May,  
One thousand seven hundred and fifty, be and is hereby continued,  
and shall be and remain in full Force until the first Day of December,  
which shall be in the Year of our Lord Seventeen hundred and  
fifty-three. [An Act continued.] p. 566 [Continuance of this Act.]

22<sup>d</sup> June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

23 June 1752  
Read and Assented to  
by the/Upper House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.

No. 13 An Act for the Relief of such Persons as cannot find Surety for their  
Appearance to testify as a Witness against any Person arrested,  
accused, or prosecuted, for any Criminal Matter.

Whereas many indigent Persons, or Strangers, have been neces-  
sarily, for Want of Sureties to appear as Witnesses, committed to  
Prison, by Means whereof such Persons have been often sold as  
Servants for the Prison Fees arising upon such Commitment, or  
otherwise detained in Prison for such Fees, to their great Damage  
and Loss to the Public in the Labour of such Person or Persons: [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Pro-  
prietary, by and with the Advice and Consent of his Lordship's

Liber B.L.C. President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That where any Person, Witness against any Person or Persons accused of any Crime or Crimes within this Province, cannot find Security for his Appearance to testify as a Witness against any Person so arrested, accused, or prosecuted as aforesaid, and for Want of such Surety shall be committed to Prison, That then and in such Case, the County where the Prosecution shall be carried on, shall be chargeable with, and pay such Witness's Imprisonment Fees; and in case the Prosecution shall be in a Superior Court, then and in such Case the Public shall be chargeable with, and pay such Fees; any Laws, Usage, or Custom, to the contrary notwithstanding.

[County Justices to levy the Fees mentioned in this Act.] And be it likewise Enacted, That the Justices of the several and respective County Courts shall, and they are hereby obliged and directed to assess and levy on the taxable Inhabitants of their Counties respectively, all such Fees as are herein before directed to be paid by the respective Counties, from Time to Time, and at all Times hereafter, as often as the Case shall require, during the Continuance of this Act: And that all such Fees shall and may be paid by the Inhabitants of this Province; in the same Manner as they are allowed by Law to pay any other County or Public Charges.

[Continuance of this Act.] This Act to continue for three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said three Years.

22.<sup>d</sup> June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province/I will this be a Law/  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

23 June 1752  
Read and Assented to  
by the/Upper House of  
Assembly/  
Signed p Order  
J. Ross Cl Up Ho.

No. 14 An Act to amend and explain an Act entituled, "An Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors and running of Horse-Races near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Course of Negroes and other Slaves during the said Meetings."

[Preamble.] Whereas, by the above mentioned Act, it is doubtful whether Persons selling strong or spirituous Liquors in Talbot and Anne Arundel Counties, during the Days on which the yearly Meetings of the People called Quakers are kept or held at their Meeting-Houses in the said Counties, without having first built, set up, or erected a Booth or other Conveniency for that Purpose, and within the Intent and Meaning of the said Act, for removing of which Doubt, and more effectually preventing the Evils and Inconveniencies complained of by the said recited Act, it is prayed that it may be Enacted



And be it Enacted by the Right Honourable the Lord Proprietary, *Liber B. L. C.*  
 by and with the Advice and Consent of his Lordship's President,  
 and the Upper and Lower Houses of Assembly, and the Authority  
 of the same, That from and after the End of this present Session of  
 Assembly, if any Person or Persons whatsoever shall sell, dispose  
 of, or expose to Sale any strong or spirituous Liquors of any Kind  
 whatsoever, at or near any public Road, in the Counties of Talbot  
 and Anne Arundel, at any Distance within three Miles in the said  
 Counties from the Meeting-Houses aforesaid, during the Days on  
 which the yearly Meetings of the People called Quakers shall be  
 kept or held, or shall sell, dispose of, or expose to Sale any such  
 strong or spirituous Liquors, at any Place whatsoever within three  
 Miles distant from the said Meeting-Houses, such Person or Per-  
 sons, for every such Offence, shall forfeit and pay the Sum of Five  
 Pounds Current Money, one Half to the Informer, or him or them  
 who will sue for the same; the other Half to the Use of the County  
 School where such Offence shall be committed; to be recovered in  
 any Court of Record within this Province, by Action of Debt, Bill,  
 Plaint, or Information, wherein no Essoign, Protection, or Wager  
 of Law shall be allowed; any Thing in the above recited Act to the  
 contrary in any wise notwithstanding. Provided always, That nothing  
 herein contained shall extend to prevent, hinder, or preclude any  
 licensed Ordinary-Keeper, Merchant, or other Person, dwelling or  
 residing in the said Counties, from selling any strong or spirituous  
 Liquors at his or her Dwelling-House, or Place of Residence, during  
 the Days on which such yearly Meetings shall be kept or held as  
 aforesaid; so that such Liquors to be sold as aforesaid (except what  
 is sold by Persons duly admitted and licensed to keep Ordinary) be  
 not drank at the Place where the same is sold or exposed to Sale.

[No strong  
Liquors to be  
sold within  
3 Miles of  
the said  
Meeting-  
Houses.]

[Proviso.]

And be it further Enacted, That so much of the above-recited  
 Act, prohibiting the setting up and erecting any Booth or Con-  
 veniency, or selling or disposing of any strong or spirituous Liquors,  
 or other Accommodations, or giving any Entertainment to any Per-  
 sons, at a Distance more than three Miles, be and is hereby repealed.

[Part of  
an Act  
repealed.]

This Act to continue during the Continuance of the above-  
 recited Act, and no longer.

[Continuance  
of the Act.]

22 June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup> the/Lord Prop<sup>ty</sup>  
of this Province I will/  
this be a Law/

Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

22<sup>d</sup> June 1752  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

- No. 15 An Act empowering the Justices of Baltimore County Court to  
 Liber B.L.C. assess and levy a Sum of Current Money, and for other Pur-  
 poses therein mentioned.

Upon Application made, by Petition, to this present General  
 Assembly, from the Rector, Vestrymen, Churchwardens, and other  
 [Justices of Baltimore County to levy 300 l. on the Inhabitants of St. John Parish.] Inhabitants of St. John Parish in Baltimore County, Be it Enacted  
 by the Right Honourable the Lord Proprietary, by and with the  
 Advice and Consent of his Lordship's President, and the Upper and  
 Lower Houses of Assembly, and the Authority of the same, That it  
 shall and may be lawful to and for the Justices of Baltimore County  
 Court for the Time being, and they are hereby directed and required,  
 at the next November Court, to assess and levy on the taxable  
 Inhabitants of the aforesaid Parish, in the County aforesaid, a Sum  
 not exceeding the Sum of Three hundred Pounds Current Money,  
 together with the Sheriff's Salary of Five Pounds per Centum for  
 collecting the same, in the same Manner, and under the same Terms  
 as the County Charges are usually assessed and levied: And that  
 the Reverend Mr. Hugh Deans, Thomas Franklin, Roger Boyce,  
 Nicholas Ruxton Gay, Thomas Gittings, John Merriman, and John  
 Hughes, or the major Part of them, are hereby authorized, directed,  
 and required, to buy and purchase, in Fee, in the Name of the  
 Rector, Vestrymen, and Churchwardens, of the said Parish, one  
 Acre of Land, in the Fork of Gunpowder River in the County afore-  
 said, at such Place as shall be deemed and adjudged by the said  
 Hugh Deans, Thomas Franklin, Roger Boyce, Nicholas Ruxton  
 Gay, Thomas Gittings, John Merriman, and John Hughes, or the  
 major Part of them, as the most fitting and convenient Place for a  
 Chapel of Ease to the said Parish: And the aforesaid Hugh Deans,  
 Thomas Franklin, Roger Boyce, Nicholas Ruxton Gay, Thomas  
 Gittings, John Merriman, and John Hughes, or the major Part of  
 them, are hereby authorized, directed, and required to agree and  
 contract with a Workman or Workmen, to undertake, erect, build,  
 and in a Workman-like Manner to compleat and finish, on the  
 aforesaid one Acre of Land, a Chapel of Ease to the aforesaid  
 Parish: And the aforesaid one Acre of Land, when bought, and the  
 aforesaid Chapel, when built, and they are hereby Enacted and  
 Declared to be vested in the said Parish, as the Estate and Chapel  
 of Ease to the aforesaid Parish, for the Worship and Service of  
 God, in like Manner as other Lands, and Chapels of Ease thereon  
 built, in other Parishes, are used and enjoyed.

And be it further Enacted by the Authority, Advice, and Consent  
 aforesaid, That the aforesaid Hugh Deans, Thomas Franklin, Roger  
 Boyce, Nicholas Ruxton Gay, Thomas Gittings, John Merriman,  
 and John Hughes, or the major Part of them, be, and they are  
 hereby authorized and empowered, from time to time as Occasion  
 shall require, for the Purpose aforesaid, to draw upon the Sheriff of  
 [The Persons above nominated to draw on the Sheriff for the said Money.]

Baltimore County, in whose Hands the aforesaid Sum of Three hundred Pounds Current Money, so as aforesaid to be assessed and levied, or such Part thereof as shall, by Virtue of this Act, be so assessed and levied, shall remain for so much of the said Money as they the said Hugh Deans, Thomas Franklin, Roger Boyce, Nicholas Ruxton Gay, Thomas Gittings, John Merriman, and John Hughes, or the major Part of them, shall from time to time think it necessary to draw, towards Satisfaction or Payment for the Purchase of the aforesaid Acre of Land, and for building, finishing, and compleating the Chapel of Ease aforesaid: And the said Sheriff is hereby authorized and obliged, from time to time, to pay the same to such Orders accordingly, so far as the said Sum, thereout first deducting his Commission for Collection, shall extend unto.

And be it further Enacted by the Authority aforesaid, That the said Chapel of Ease, when built, shall be deemed and used as a Chapel of Ease for the said Parish to all Intents and Purposes, and shall be kept constantly in Repair at the Charge of the Parish of St. John aforesaid, for ever. [The said Chapel to be a Chapel of Ease.]

22 June 1752  
Read and Assented to  
by the/Lower House of  
Assembly/

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup>/the Lord Prop<sup>r</sup>  
of this Province/I will  
this be a Law/  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

23<sup>d</sup> June 1752  
Read and Assented to  
by the/Upper House of  
Assembly/

Signed p Order  
J. Ross Cl Up Ho.

No. 16 A Supplementary Act to an Act entituled, "An Act for issuing and taking out of the Office of the Commissioners or Trustees appointed for emitting Bills of Credit, established by Act of Assembly, the Sum of Four thousand five hundred Pounds Current Money, for Encouragement of such able-bodied Freemen as shall voluntarily enlist themselves into his Majesty's Service, for the intended Expedition against Canada, and for maintaining and conveying them to the Place of Rendezvous; as also for replacing the said Sum, and for the better regulating Ordinaries and Ordinary-Keepers; and for other Purposes therein mentioned." p. 369

Whereas, by an Act of Assembly entituled, An Act for issuing and taking out of the Office of the Commissioners or Trustees appointed for emitting Bills of Credit, established by Act of Assembly, the Sum of Four thousand five hundred Pounds Current Money, for Encouragement of such able-bodied Freemen as shall voluntarily enlist themselves into his Majesty's Service, for the intended Expedition against Canada, and for maintaining and conveying them to the Place of Rendezvous; as also for replacing of the said Sum, and for the better regulating Ordinaries and Ordinary- [Preamble.]

Liber B. L. C. Keepers; and for other Purposes therein mentioned; amongst other Things therein contained, it is Enacted, That no Person or Persons within this Province, not having lawful License, shall sell by Retail, unless sold at the common and usual Rates of such Liquors between Merchants and others, any Cyder, Quince-Drink, or other strong Liquors, to be drank in his, her, or their Houses, or about his, her, [Part of an Act recited.] or their Plantation, upon the Forfeiture of, every Time he, she, or they shall be legally convict thereof, the Sum of Five Pounds Current Money, one Half thereof to the Commissioners or Trustees aforesaid, to be collected, payed, and applied in such Manner as in the said Act is mentioned. And whereas it is represented to this General Assembly, that sundry Persons, in Evasion of the true Intent and Meaning of the said recited Act, and under Pretence of selling the aforesaid Liquors, at the common and usual Rates of such Liquors between Merchants and others, do yet retail the same in small Quantities, to the great Encouragement of Idleness and Drunkenness: To remedy which Evil for the future, it is prayed that it may be Enacted,

[No Persons except such as have License, to retail any strong Liquor.] And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's President, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the first Day of October next, no Person or Persons inhabiting within this Province, not having lawful License, shall sell any Cyder, Quince-Drink, or other strong Liquors, to be drank in or about his, her, or their House or Houses, or about his, her, or their Plantations, under any Pretence whatsoever, under the Penalty of Fifty Shillings Current Money for every Offence, to be recovered before a single Justice of the Peace as in Case of small Debts; one Half whereof to the Use of the Informer, or him, or her, that shall sue or prosecute for the same; and the other Half to be paid to the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, to be by them applied towards the Payment of the Sum of Four thousand five hundred Pounds Current Money taken out of the Office of the Commissioners or Trustees aforesaid.

[Part of the above recited Act explain'd.] And to the End that it may be ascertained, what may be called or known by the Name of Retailing, Be it Enacted, That any Cyder or Quince-Drink that shall be sold, under the Quantity of one Gallon; and Rum, Brandy, or other Spirits, that shall be sold under the Quantity of one Quart; shall be deemed, adjudged, and taken as Retailing within the Intent and Meaning of this Act.

[Proviso.] Provided always, and it is hereby Enacted, That this Act, or any Thing therein contained, shall not debar, or be construed to debar or hinder any Person or Persons, his or their Agents, Clerks, or Managers, within this Province, to sell and dispose of any Liquor or Spirits to Tradesmen, Labourers, or others, by such Person or

Persons, his or their Agents, Clerks, or Managers, hired or employed to work or labour; any Thing therein contained to the contrary thereof in any wise notwithstanding. Liber B. L. C.

This Act to continue for three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said three Years. p. 570  
[Continuance  
of this Act.]

22.<sup>d</sup> June 1752  
Read and Assented to  
by the Lower House of  
Assembly/  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of the Province/I will this be a Law  
Benj.<sup>a</sup> Tasker

the great seal in  
Wax Appendant

23 June 1752  
Read and Assented to  
by the Upper House of  
Assembly/  
Signed p Order  
J. Ross Cl Up Ho.

I hereby Certifye that Richard Burdus Clerk of the Provincial Court and of the Secretarys office of the Province of Maryland this Day personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid His Council of State and made Oath on the Holy Evangels of Almighty God that He Carefully Examine all the Laws contained in this Book beginning at Folio five hundred and fifty five and Ending at Folio Five Hundred and seventy with the Original Acts that passed the Great Seal.

Sworn to this fourteenth Day of September Anno Dom 1752

Bened.<sup>t</sup> Calvert

SEAL

The Seal of the Provincial Court is hereunto affixed on behalf of Edmund Jenings Esq.<sup>r</sup> Secretary of Maryland  
p R. Burdus Clk Sec.<sup>rys</sup> Office & Pvi.<sup>l</sup> Co.<sup>t</sup>



PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, October 2—November 17, 1753.  
Being the Third Session of the Assembly Elected in 1751.*

FREDERICK CALVERT, LORD BALTIMORE,  
*Lord Proprietary.*

HORATIO SHARPE,  
*Governor.*





# PROCEEDINGS OF THE UPPER HOUSE OF ASSEMBLY.

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the Second day of October in the third year of his Lordships Dominion Annoque Domini 1753.

U. H. J.  
Liber No. 34  
1753,  
October 2

Present

p. 430

His Excellency Horatio Sharpe Esq.<sup>r</sup> Governor

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	}	Col. Edward Lloyd
		Col. George Plater		Col. Benjamin Tasker
		Col. Charles Hammond		Benedict Calvert Esq. <sup>r</sup>

Major Barnes and M.<sup>r</sup> Tilghman from the Lower house acquaint his Excellency the Governor that there is a sufficient Number of Members met to make a house and wait his Excellencys Commands

Colonel Plater and Colonel Hammond are sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower house in the Upper House.

The Lower house attend and his Excellency acquainted the Members of both houses that the Lord Proprietary had Transmitted by him a Speech to both houses of Assembly which by his Excellencys directions was read by the Clerk of this house in the words following Viz.<sup>t</sup>

Gentlemen of the Upper and Lower houses of Assembly

The Care of this Province now descending to me as Lord and Proprietary thereof, I think it will not be less agreeable to you than Satisfactory to myself to Assure you that I shall always follow the good Examples of my Ancestors, who first enterprized established promoted and improved the Province of Maryland Their Great and Generous Motives, their constant Regard and Attention to your Interest and Prosperity their Love and diligence and the Effects of it in the Increase of your Numbers and the Extent of your Commerce will ever animate and influence me to discharge my duty to you, and my own discendants in such manner that the Posterity of both may not think less favourable of me than of my Ancestors, And I trust it will be esteemed one Proof of my Care that I have with his Majesty's most Gracious Approbation Named and Constituted M.<sup>r</sup> Horatio Sharpe to be my Lieutenant General & Governor in Chief of the Province of Maryland, a Gentleman whose Loyalty and Attachment to Our happy Establishment is Certain and from whose Integrity Honour and Abilits I have Great reason to expect

U. H. J. all that the Importance of so Great a Trust which I have Reposed  
 Liber No. 34 in him for the Publick Good and General benefit of this Province  
 October 2 may require

p. 431 Gentlemen of both Houses.

With all Duty and Allegiance to my Sovereign I shall always most Sincerely desire to Co Operate and joyn with you in Preserving the Government both in Church and State as by Law established and shall embrace every Occasion wherein I may testify the real Love and Esteem I have for you, which I hope will be Sufficiently shewn by the Care I shall always take of the Laws Libertys and Propertys of my Good Tenants of the Province of Maryland, I cannot entertain the least Doubt that I shall ever fail of all Suitable returns from you whose justice and Regard for me, will I am persuaded induce you to do all in Your Power in Support of all my just rights and Propertys as I shall always on my Part do in Support of yours.

After which his Excellency is Pleased to make the following Speech

Gentlemen of the Upper and Lower houses of Assembly

I have Chosen this Opportunity of Meeting you upon the last Prorogation from an Opinion, that your Attendance here may be more Suitable at this than any other Season

I cannot but take occasion to congratulate you on the Lord Proprietary being arived at an Age to take you under his more immediate Protection, and Convince you by his tender Care that the Affectionate Profession you have now heard from him are the real Dictates of his generous heart and I must with Pleasure acknowledge myself persuaded from the Short acquaintance I have had amongst you, that you will not Shew less Earnestness to Maintain that Harmony and Mutual Good will on which alone the real Happiness & Prosperity of the Province can Subsist

Nothing can Contribute so much to my own Happiness as to See this Province flourish under my administration but as mens different Conceptions frequently in Life prevent their Concurring in the means to obtain the End they equally have in View I will Promise the less and Endeavour the more that Every Step I take may conduce to the General welfare.

As Soon as his Lordships Commission made Maryland an object of my Attention and his Commands pointed out a way of Shewing my Zeal in its Service by Procuring a Replacement of the Arms Supplied from the Provincial Armory for the Canada Expedition I lost no time in making Application and with such success that

their arrival may be expected Soon after the Orders already issued for that purpose can be Complied with  
Gentlemen

U. H. J.  
Liber No. 34  
October 2

Although the principal of Self preservation and that universal Desire to increase the Riches of Ones Country Seem to make every Recommendation on those points unnecessary to its Representatives, Yet as Several Omissions may happen through Multiplicity of Business or other Accidents I shall not be wanting on my part in Reminding you from time to time of what may Occur to my thoughts Relative to those important Subjects so Worthy of your Regard

The Speaker and the Lower house withdraw  
Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 3.<sup>d</sup> October 1753.

October 3

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 4.<sup>th</sup> October 1753.

October 4

This house met again according to Adjournment

Present as Yesterday Except Col Hammond

The Honourable Benjamin Tasker Esq.<sup>r</sup> presents to his Excellency the Address of this house which is as follows

To his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor and Commander in Chief in and over the Province of Maryland

The Humble Address of the Upper House of Assembly.  
May it please Your Excellency

We return You our most Sincere thanks for Your very kind and obliging Speech at the Opening of this Session your Consideration of the Suitableness of the Season to our Private Affairs is very obliging and we consider it as an Instance of Your Regard for Us.

We heartly Joyn with you in Congratulating his Lordships Attainment his full Age to take the Government of this Province into his Own hands and ourselves upon the Affectionate Proffession his Ldp has been pleased to make to us and we flatter ourselves that his Tenants will make such Suitable Returns of Gratitude and Affection as may establish that Harmony and Mutual Goodwill which alone can

U. H. J. Promote the Inseperable Interest of his Lordship and his Tenants.  
 Liber No. 34 We Promise ourselves that nothing in the Power of a Gentleman of  
 October 4 Your Character will be wanting to make this Country flourish under

p. 434 Your Administration, and altho men will often differ about the  
 Means of Attaining the End all must wish for, yet We hope when  
 that End is well understood and Steadily kept in view that upon a  
 Candid and frank Communication of their Sentiments to Each  
 other and a Sincere desire of being Truly informed it will Reconcile  
 all differences about the means.

We are very much obliged and thankful to You for the Care and  
 Pains You have taken to get the Arms Replaced that were taken out  
 of our Armory for his Majestys Service.

As to our own part as We are under all the ties of Nature &  
 Interest to Promote the welfare of Our Country, So We assure  
 your Excellency of Our Concurrence in every Measure to Obtain  
 so desireable an End, That We will upon all Occasions Contribute  
 to the utmost of our Power to make Your Administration Agreeable  
 to Yourself which We are Convinced must Contribute to Promote  
 the Joint Interest of his Lordship & Province

Benj.<sup>a</sup> Tasker Presid.<sup>t</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

October 5

Friday Morning 5.<sup>th</sup> October 1753.

This house met again according to Adjournment

Present as Yesterday with the Addition of Col. Hammond and  
 Philip Thomas Esq.<sup>r</sup>

The Governor Communicates his Answer to the Address of this  
 House which is as follows, viz

Gentlemen of the Upper house of Assembly

I am obliged to You for Your kind Address & the favourable  
 opinion you have conceived of my disposition to promote the Interest  
 and happiness of this Province. Your Earnest desire to See it  
 flourish I cannot doubt and I return you my Sincere thanks for  
 your Promise to endeavour to make my Administration Easy and  
 agreeable

Hor.<sup>o</sup> Sharpe

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem  
This house met again according to Adjournment

U. H. J.  
Liber No. 34  
October 5

Present as in the Morning  
Adjourned till to Morrow Morning Ten of the Clock

Saturday Morning 6.<sup>th</sup> October 1753  
This house met again according to Adjournment

October 6

Present as Yesterday  
Adjourned till Monday Morning ten of the Clock

P. 435

Monday Morning 8th October 1753.  
This house met again according to Adjournment

October 8

Present  
The Honourable { Benjamin Tasker Esq.<sup>r</sup> } Philip Thomas Esq.<sup>r</sup>  
                          { Col George Plater } Col Edward Lloyd  
                          { Col Charles Hammond } Col Benjamin Tasker  
                          { Samuel Chamberlain Esq.<sup>r</sup> } Benedict Calvert Esq.<sup>r</sup>  
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem  
This house met again according to Adjournment  
Present as in the Morning  
Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 9th October 1753  
This house met again according to Adjournment

October 9

Present as Yesterday  
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem  
This house met again according to Adjournment  
Present as in the Morning  
Adjourned till to Morrow Morning ten of the Clock

U. H. J.  
Liber No. 34  
October 10

Wednesday 10th October 1753.

This house met again according to Adjournment

Present as yesterday with the Addition of Richard Lee Esq.<sup>r</sup>,  
Except Philip Thomas Esq.<sup>r</sup>

A Bill from the Lower house by Mess.<sup>rs</sup> Waggaman and Lee  
Entituled An Act for the Speedy Recovery of Small Debts out of  
Court before one Justice of the Peace, thus Endorsed

By the Lower house of Assembly 9th October 1753.

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 10th October 1753

Read the second Time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table  
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

p. 436 Two Bills from the Lower house by Mess.<sup>rs</sup> Addison and Govane  
one Entit.<sup>d</sup> An Act for issuing Writts of Replevin out of the  
County Courts of this Province the other Entituled an Act to License  
Hawkers Pedlars and Pettychapmen both thus Endorsed

By the Lower house of Assembly 9 October 1753.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 10 October 1753

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table  
A Message from the Lower house by Mess.<sup>rs</sup> Barnes & Lee

By the Lower house of Assembly 10.<sup>th</sup> October 1753.

May It please Your honours

This house hath Appointed Major Barnes Cap.<sup>t</sup> Bond Col Har-  
rison M<sup>r</sup> Walter Dulany and Cap.<sup>t</sup> Lee a Committee to Inspect the  
Accounts and Proceedings of the Commissioners for Emitting Bills  
of Credit Established by Act of Assembly and desire Your honours  
to appoint one or more of your house to Joyn in the said Committee.

Signed p Order M Macnemara Ct Lo H.

Read the first Time the Bill prepared in this house Entituled an Act for the better Security of Purchasers and Creditors and Ordered to lye on the Table

U. H. J.  
Liber No. 34  
October 19

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 11 October 1753.

October 11

This house met again according to Adjournment

Present as Yesterday

The following Message is Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

By the Upper house of Assembly 11 October 1753.  
Gentlemen

This house hath appointed Richard Lee Esq.<sup>r</sup> to Join the Members Named by Your house in a Committee to Inspect the Accounts & Proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross Ct Up H

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Four Bills from the Lower house by Mess.<sup>rs</sup> Stoddart & Shelby, one Entituled an Act Continuing an Act Entituled an Act continuing An Act entituled an Act to Remedy some Evils relating to Servants—An Act continuing an Act entituled an Act to prevent the ill Practices of the Sheriffs in the Collecting and payment of the Publick & County Levies An Act continuing an Act entituled an Act for the Gauge of Barrells for Pork, Beef, Pitch, Tar, Turpentine and Tare of Barrells for flour and Bread; An Act continuing an Act Entituled a Supplementary Act to the Act Entituled An Act ascertaining the height of Fences to prevent the Evil occasioned by the multitude of Horses & Restraining Horse Rangers within this Province and to Redress the Great Evil Accruing to this Province by the Multiplicity of Useless Horses Mares and Colts that Run in the Woods; Severally thus Endorsed

p. 437

By the Lower house of Assembly 9 October 1753.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 11 October 1753

Read the Second time and will pass.

Signed p Order M Macnemara Ct Lo. H.

U. H. J.  
Liber No. 34  
October 10

Read the first time in this house & Ordered to lye on the Table  
Read the Petition of the Rector Vestrymen Churchwardens &  
Other Inhabitants of S.<sup>t</sup> Pauls Parish in Prince Georges County—  
Praying leave to bring in a Bill to Levy one hundred Pounds at  
two Equal Assessments to Pail in the Grave Yard and for Some  
other Necessary Repairs—Read the Petition of Several Inhabitants  
of Baltimore County Praying an Act to lay out thirty two acres of  
Land Adjoining to Baltimore Town into Lotts and to be made  
part of the said Town, Read the Petition of Sundry Inhabitants of  
Baltimore County Praying an Act to Repeal the Bill for Water Mills  
in 1704 and the Bill for an Iron Manufacture in 1719; Referred  
to the Consideration of the Lower house of Assembly and Sent by  
Benedict Calvert Esq.<sup>r</sup>

Read the petition of Sundry freeholders of King Georges and  
Prince Georges Parishes Praying a Bill for dividing the said Par-  
ishes, Rejected

Adjourned till to Morrow Morning ten of the Clock

October 12

Friday Morning 12 October 1753

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

October 13

Saturday Morning 13.<sup>th</sup> October 1753.

This house met again according to Adjournment

Present as Yesterday Except Col. Hammond

A Bill from the Lower house by Mess.<sup>rs</sup> Waggaman & Gresham  
Entituled an Act for Tryal of all Matters of fact in the Several  
Counties where they have Arisen or shall Arise; thus Endorsed

p. 438

By the Lower house of Assembly 12 October 1753.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 13 October 1753.

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.



Read the first time in this house and Ordered to lye on the Table

U. H. J.  
Liber No. 31  
October 13

Read the Petition of the Rector Vestrymen and Churchwardens and other Inhabitants of S.<sup>t</sup> Pauls Parish in Baltimore County Praying leave to bring in a Bill to empower the Justices of the said County to levy on the Taxable Inhabitants of the said Parish the Sum of One hundred and fifty Pounds Current Money to be applied towards defraying the said Parish Debt—The Petition of Sundry freeholders and other Inhabitants of Durham Parish and Port Tobacco Parish in Charles County Praying that a warehouse may be erected at Cracksons Landing on Stones Creek in the said County; Referred to the Consideration of the Lower house of Assembly and sent by Samuel Chamberlain Esq.<sup>r</sup>

Read the Petition of Mary Wilson of Kent County Widow Praying a Lease for a water Mill, Rejected Read the Petition of the Upper Inhabitants of S.<sup>t</sup> Marys White Chappel Parish in Dorchester County Praying a Division of the said Parish; Rejected

Adjourned till Monday Morning ten of the Clock

Monday Morning 15 October 1753.

October 15

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	{	Philip Thomas Esq <sup>r</sup>
		Co <sup>t</sup> George Plater		Co <sup>t</sup> Benjamin Tasker
		Co <sup>t</sup> Charles Hammond		Richard Lee Esq. <sup>r</sup>
		Samuel Chamberlain Esq <sup>r</sup>		Benedict Calvert Esq. <sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

The house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 16 October 1753

October 16

This house met again according to Adjournment

Present as Yesterday Except Co<sup>t</sup> Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.  
Liber No. 34  
October 17

Wednesday Morning 17 October 1753

This house met again according to Adjournment

Present as Yesterday with the Addition of Col Charles Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Doctor Carroll and Major Henry Hall from the Lower house Attend with M<sup>r</sup> John Gassaway a Member Ellected for Ann Arundel County in the Room of M<sup>r</sup> Thomas Worthington deceased to See him Qualified who takes the Several Oaths to the Government Required by Law Repeats and Subscribes the Abjuration and Test and then withdraws

Adjourned till to Morrow Morning ten of the Clock

October 18

Thursday Morning 18 October 1753.

This house met again according to Adjournment

Present as Yesterday

Read the second Time the four following Bills viz.<sup>t</sup> One Entituled an Act to prevent the ill Practices of Sheriffs in the Payment of the County and Publick Levies—The Supplementary Act for ascertaining the height of Fences to prevent the evil Occasioned by the Multitude of Horses and Restraining Those Rangers within this Province, and to Redress the Great Evil accruing to this Province by the Multiplicity of useless Horses Mares and Colts, that Run in the Woods—An Act Continuing an Act Entituled an Act to Remedy some Evils relating to Servants—The Act Continuing an Act Entituled an Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine and Tare of Barrels for Flour and Bread, and will Pass, Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Read the Petition of the Inhabitants of the North and South Branch of Gunpowder River in Baltimore County Praying a warehouse may be Erected at the Old Landing in the said County—Read the Petition of Several the Inhabitants of Cecil County Praying a Roadway be made out near Elihu Halls Mill on Octerara down Susquehannah River to Intersect the Top of the Tide—Read the Petition of John Bradford & Sundry the Justices of Frederick County Praying leave to Bring in a Bill to levy one hundred and Ten pounds, and a further Sum of One hundred Pounds for the uses therein mentioned; Referred to the Consideration of the Lower house of Assembly— & Sent by Samuel Chamberlain Esquire

Read the Petition of Thomas Barckley a Languishing Prisoner in Kent County Goal Praying Relief; Referred to the Consideration of the Lower house of Assembly & Sent by Samuel Chamberlain Esquire

U. H. J.  
Liber No. 34  
October 18

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

p. 449

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 19 October 1753.

October 19

This house met again according to Adjournment

Present as Yesterday

Two Bills from the Lower house by Mess.<sup>rs</sup> Goldsborough and Edmonson One Entituled an Act to Oblige Garnishees to discover Goods and Effects Attached in their hands and for other Purposes therein mentioned—A Bill Entituled An Act for Reducing the Allowances of the Members of the Upper and Lower houses of Assembly of this Province and Ascertaining the Publick Levy both thus Endorsed.

By the Lower house of Assembly 10 October 1753.

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 16 October 1753.

Read the second time & will pass.

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess.<sup>rs</sup> Carroll and Gassaway from the Lower house Attend with Doctor Alexander Hamilton a Member Ellected for the City of Annapolis in the Room of Captain Robert Gordon deceased to See him Qualified who takes the Several Oaths to the Government required by Law Repeats and Subscribes the Abjuration and Test and then withdraws

Adjourned till to Morrow Morning ten of the Clock

U. H. J.  
Liber No. 34  
October 20

Saturday Morning 20 October 1753.

This house met again according to Adjournment

Present as Yesterday Except Col Hammond

Mess.<sup>rs</sup> Addison and Murdock from the Lower house Attend with M<sup>r</sup> John Hawkins a Member Ellected for Prince Georges County (in the Room of M<sup>r</sup> Turner Wootton who Since last Session had Excepted of a Sheriffs Place) to See him Qualified who takes the Several Oaths to the Government required by Law Repeats and Subscribes the Abjuration and Test and then withdraws.

A Bill from the Lower house by Mess.<sup>rs</sup> Mackall & Gassaway Entituled an Act to empower the Several Courts within this Province to Order Commissions for the Examination of Witnesses Residing beyond Sea and for the more Easy foreclosure of Mortgages, thus Endorsed.

p. 441

By the Lower house of Assembly 16 October 1753.

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 20 October 1753

Read the Second Time and will Pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table

Read the Petition of William Wells and Rebecca his Wife of Ann Arundel County Praying leave to bring in a Bill to Cutt off the Entail of a Tract of Land called Charley and to entail Other Lands in Lieu thereof Referred to the Consideration of the Lower house and Sent by Benedict Calvert Esquire

A Bill from the Lower house by Mess.<sup>rs</sup> Earle and Hyland Entituled An Act continuing an Act for Relieving the Inhabitants of this Province from Some Agrievances in the Prosecution of Suits at Law & for Continuing the Supplementary Act thereto; thus Endorsed

By the Lower house of Assembly 16 October 1753.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 19 October 1753

Read the second Time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table  
Adjourned till Monday Morning ten of the Clock

Monday Morning 22 October 1753.

This house met again according to Adjournment

U. H. J.  
Liber No. 34  
October 22

Present

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	}	Cot Benjamin Tasker
		Cot George Plater		Richard Lee Esq. <sup>r</sup>
		Cot Charles Hammond		Benedict Calvert Esq. <sup>r</sup>
		Samuel Chamberlain Esq. <sup>r</sup>		

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esquire

Read the second Time the Bill Entituled An Act to Lisenze Hawkers Pedlars and Petty Chapmen, and will Pass with the following Amendments in the 7<sup>th</sup> & 14 Lines of Second Page instead of the Word, five, put, Ten and in the 8<sup>th</sup> Line of 3.<sup>d</sup> Page instead of the words, to the use of the Several County Schools within this Province, put to his Lordships for Support of Government, in the Last Line but one in the fourth Page Instead of the words, to the Clerk of the Council for the Time being who is, put the Treasurer or Treasurers for the Time being who are, Leave out the words after the word, Expressed. in the 4<sup>th</sup> line of the last Page to the word and, in the Seventh Line of the same Page, instead of the words, the Visitors of the Respective County Schools within this Province, in the Eleventh line of the Same Page, put, to his Lordships Agent for the Time Being to the use of his Lordship for the Support of Government sent to the Lower house by Colonel Tasker p. 442

A Bill from the Lower house by Handy and Mills Entituled An Act for the Advancement of Justice; thus Endorsed

By the Lower house of Assembly 20.<sup>th</sup> October 1753

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 22<sup>d</sup> October 1753.

Read the Second Time and will pass

Signed p Order M Macnemara Ct Lo H

Read the first Time in this house and Ordered to lye on the Table

Read the Petition of Horatio Samuel Middleton of Annapolis Praying Leave to Bring in a Bill for the Vesting and Settling an Estate in fee Simple to him in a Certain Lott of Ground in the City of Annapolis; Read the Petition of the Incumbent and Vestryment of S.<sup>t</sup> Michaels Parish in Talbot County and of James Tilghman and Ann his Wife, Praying leave to bring in a Bill to Enable

U. H. J. them to make an Exchange of Certain Lands therein mentioned  
 Liber No. 34 Read the Petition of Major George Bell of Frederick County Praying  
 October 22 to be Relieved from Some Inconveniency by the Act Entituled  
 an Act for laying out and erecting a Town by the Name of George  
 at Rock Creek in the said County Referred to the Consideration of  
 the Lower house & Sent by Col. Hammond

Adjourned till to Morrow Morning Ten of the Clock

October 23

Tuesday Morning 23.<sup>d</sup> October 1753.

This house met again according to Adjournment

Present as Yesterday

Mess.<sup>rs</sup> Hooper and Goldsborough from the Lower house Attend  
 with Mess.<sup>rs</sup> Traverse and Gray to Members Ellected for Dor-  
 chester County, in order to See them Qualified who takes the several  
 Oaths to the Government Required by Law Repeat and Subscribe  
 the Abjuration and Test and then withdraw

Read the Second Time the Bill Entituled An Act for Tryal of all  
 matters of fact in the Several Counties where they have Arisen  
 p. 443 or shall Arise, and will pass with the following Amendments the  
 words, and not elsewhere, in the 12<sup>th</sup> Line of the first Page to be  
 omitted in the 19<sup>th</sup> Line of the third Page, instead of four, put, five,  
 in the 15<sup>th</sup> Line of the 5<sup>th</sup> Page instead of Six, put, Seven, leave  
 out the first Clause in Page 6.<sup>th</sup> and instead thereof Insert the  
 following one, And be It enacted by the Authority Advice and  
 Consent af.<sup>d</sup> that the Justices of Nisi prius and Goal Delivery shall  
 in all Civil Cases be Tryed before them where any Person Con-  
 cerned shall desire the same allow and direct Special Verdicts to be  
 found, in the 19<sup>th</sup> Line of the same Page after the word Terminer.  
 put or during their Sitting, in the 17 line of the 7 Page between  
 the word, on, and, Twenty, in the 18<sup>th</sup> Line of Same Page but,  
 these words, or delivered to the Defendant or left at his or her last  
 Place of abode, after the word, notwithstanding, in the Tenth Page  
 incert the following Clause, And whereas Since last Provincial Court  
 Persons have been Comitted for Crimes and misdemeaneours, &  
 Witnesses have been bound over to Testifie against such Persons at  
 the next Provincial Court; Sent to the Lower house by Col George  
 Plater

Read the Petition of the Rector Vestrymen & Churchwardens  
 and Other parishioners of S.<sup>t</sup> Johns Parish in Baltimore County  
 Praying that 70000 pounds of Tobacco may be levied on the Tax-  
 able Inhabitants of the said County towards finishing a Chappel in  
 the said Parish—The Petition of Sundry the Inhabitants of Prince  
 Georges County Praying a Sum may be Levied on the Taxable

Inhabitants of the said County for Purchasing a Lott in Marlborough Town to build a Prison thereon Referred to the Consideration of the Lower house and sent by Richard Lee Esq.<sup>r</sup>

U. H. J.  
Liber No. 34  
October 23

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess.<sup>rs</sup> Buchanan and Govane from the Lower house attend with M.<sup>r</sup> John Paca a Member Elected for Baltimore County in order to See him Qualified, who takes the Several Oaths to the Government required by Law Repeats and Subscribes the Abjuration and Test and then withdraws.

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 24<sup>th</sup> October 1753

October 24

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled an Act Continuing an Act Entituled An Act for Relieving the Inhabitants of this Province from Some Aggrievances in the Prosecution of Suits at Law and for continuing the Supplementary Act thereto, and will Pass with the following amendments, instead of the words, are hereby made Perpetual and shall have Continuance forever, put to continue for three years and to the end of the next Session of Assembly which shall happen after the Expiration of the said three Years; Sent to the Lower house by Colonel Tasker p. 444

Read the Second Time the Bill Entituled An Act for the Advancement of Justice, and will pass with the following Amendm.<sup>t</sup> at the end of the Bill incert the following Clause; This Act to Continue for three Years and to the end of the next Session of Assembly which Shall happen after the Expiration of the said three Years; Sent to the Lower house by Philip Thomas Esq.<sup>r</sup>

Read the Second Time the Bill Entituled an Act for issuing Writts of Replevin out of the County Courts of this Province and will not Pass Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

Read the Second Time the Bill Entituled an Act to oblige Garishees to discover Goods and Effects Attached in their hands and for other Purposes therein mentioned and will not Pass, Sent to the Lower house by Col Hammond

Adjournment till three of the Clock in the Afternoon

U. H. J.  
Liber No. 34  
October 24

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Three Bills from the Lower house by Mess.<sup>rs</sup> Reasin and William-  
son One Entituled an Act for Repairing the publick Roads in this  
Province; An Act to prevent Masters of Ships and Vessels from  
Clandestinely carrying Servants or Slaves or persons Indebted out of  
this Province; and An Act to Prevent persons from Secreting Flatts  
Boats or other Vessels drove by stress of Weather or otherwise from  
Landings and Moorings Severally thus Endorsed

By the Lower house of Assembly 15 October 1753

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H

By the Lower house of Assembly 24 October 1753

Read the Second Time and will pass

Signed p Order M Macnemara Cl Lo H

Read the first Time in this house and Ordered to lye on the Table

Adjourned till to morrow Morning ten of the Clock

October 25

Thursday Morning 25 October 1753

This house met again according to Adjournment

Present as Yesterday

p. 445 Read the Second Time the Bill Entituled an Act to Prevent Per-  
sons from Secreting Flats Boats or Other Vessels drove by stress  
of Weather or otherwise from Landings or Moorings and will  
Pass with the following Amendment Instead of the words three  
Pounds in the fourth Line of the Second Page put fifty Shillings;  
Sent to the Lower house by Col. Plater

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second Time the Bill Entituled An Act to Prevent Mas-  
ters of Ships and Vessels from Clandestinely Carrying Servants or  
Slaves or Persons Indebted out of this Province and will Pass with  
the following Proviso being incerted after the word notwithstanding  
in the last Line but two, Provided nevertheless and it is hereby  
Enacted and declared that where it shall happen, the Masters of  
such Ships or Vessels as aforesaid shall by Reason of Sickness be  
Rendered unable to Attend on such Naval Officer that then and in



such Case the Chief Mate or next Officer of such Ship or Vessel shall be Admitted to make entry of the said Ship or Vessel, and that afterwards the said Master as soon as he is able and before the Clearing of the said Ship or Vessel shall be and is hereby obliged to take the said Oath or Affirmation if a Quaker as af.<sup>d</sup>, Sent to the Lower house by Benedict Calvert Esquire

U. H. J.  
Liber No. 34  
October 25

A Bill from the Lower house by Mess.<sup>rs</sup> Buchanan & Ridgeley Entitled a Supplementary Act to an Act Entitled An Act to prevent the Injuring Harbours within this Province and for Repealing the Act therein mentioned thus Endorsed

By the Lower house of Assembly 16 October 1753.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 25 October 1753

Read the second Time and will pass

Signed p Order M Macnemara, Ct Lo H

Read the first Time in this house and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 26 October 1753.

October 26

This house met again according to Adjournment

Present as Yesterday Except Philip Thomas Esq<sup>r</sup>

A Bill from the Lower house by Mess.<sup>rs</sup> Raison and Oldham Entitled An Act empowering the Incumbant and Vestrymen of Saint Michaels Parish in Talbot County and James Tilghman of the said County and Ann his Wife to make an Exchange of Certain Lands therein mentioned thus Endorsed

p. 446

By the Lower house of Assembly 25 October 1753

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 26 October 1753

Read the Second Time and will Pass

Signed p Order M Macnemara Ct Lo H

Read the first time in this house and ordered to lye on the Table

A Bill from the Lower house by Mess.<sup>rs</sup> Crabb and Frazier Entitled an Act to disable Persons Transported into this Province for being Concerned in Rebellion against the King from Voting for Delegates to Serve in Assembly and other Purposes therein mentioned thus Endorsed

By the Lower house of Assembly 22 October 1753

Read the first Time and ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

U. H. J.  
Liber No. 34  
October 26

By the Lower house of Assembly 26 October 1753

Read the second Time and will pass

Signed 7<sup>p</sup> Order M Macnemara Ct Lo H

Read the first time in this house and Ordered to lye on the Table

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 27 October 1753

This house met again according to Adjournment

Present as Yesterday

Adjourned till Monday Morning ten of the Clock

October 29

Monday Morning 29 October 1753

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	{	Cof Benjamin Tasker
		Cof George Plater		Richard Lee Esq. <sup>r</sup>
		Cof Charles Hammond		Benedict Calvert Esq. <sup>r</sup>
		Samuel Chamberlain Esq. <sup>r</sup>		

Adjourned till three of the Clock in the Afternoon

p. 447

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esquire

Read the Second Time the Bill Entituled an Act to impower the Several Courts within this Province to Order Commissions for the examination of Witnesses Residing beyond Sea, and for the more Easy foreclosure of Mortgages, and will Pass with the words, or Tobacco being incerted in the last line of the Second page between the words, Monies & due, and in the fourth line of the last page after the word, Monies put or Tobacco, Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Read the second Time the Bill Entituled An Act empowering the Incumbent and Vestrymen of S.<sup>t</sup> Michaels Parish in Talbot

County and James Tilghman of the af.<sup>d</sup> County and Ann his Wife U. H. J.  
to make an Exchange of Certain Lands therein mentioned Passed Liber No. 34  
& sent to the Lower house by Colonel Tasker October 29

A Bill from the Lower house by Mess.<sup>rs</sup> Govane & Buchanan  
Entituled An Act empowering the Justices of Baltimore County to  
levy on the Taxable Inhabitants of S.<sup>t</sup> Pauls Parish in the said  
County a Sum of Current Money for the uses therein mentioned  
thus Endorsed

By the Lower House of Assembly 26 October 1753

Read the first Time and Ordered to lye on the Table

Signed 7<sup>p</sup> Order M Macnemara C<sup>t</sup> Lo H.

By the Lower house of Assembly 29 October 1753

Read the Second Time and will pass

Signed 7<sup>p</sup> Order M Macnemara C<sup>t</sup> Lo H.

Read the first time in this house and Ordered to lye on the Table

A Message from the Lower house with the Bill Entituled An  
Act to License Hawkers Pedlars and Petty Chapmen, by Mess.<sup>rs</sup>  
Smalwood and Handy.

By the Lower house of Assembly 29 October 1753

May It please Your Honours

This house is willing to concur with all necessary Amendments  
in the Bill herewith Sent but cannot Agree that the Lord Proprietary  
should have the License Money and Fines thereby Arising as noth-  
ing can Conduce more to the Advantage of any Country than Learn-  
ing which lay a foundation for Virtue and Good Manners in Youth,  
and as the Schools Already Established within this Province for  
that purpose have not a Sufficient Maintenance for Suitable Masters,  
So We hope You will Agree to pass this Bill without insisting on  
the Application of the License Money and fines as You have pro-  
posed and that they may go towards the Support of the Respective  
County Schools Agreeable to that Bill

Signed 7<sup>p</sup> Order M Macnemara C<sup>t</sup> Lo H

p. 448

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 30 October 1753.

October 30

This house met again according to Adjournment

Present as Yesterday Except Co<sup>t</sup> Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.  
Liber No. 34  
October 31

Wednesday Morning 31 October 1753

This house met again according to Adjournment

Present as Yesterday

Two Bills from the Lower house by Mess.<sup>rs</sup> Edmonson and Gray, One Ent.<sup>d</sup> an Act for Regulating Judicial proceedings, and an Act for Granting fees to the Several Justices of the County Courts and for Repealing that part of the Act of Assembly which Grants an Allowance of Eighty pounds of Tobacco p day to the said Justices; thus Endorsed

By the Lower house of Assembly 27 October 1753

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 30 October 1753

Read the second Time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess.<sup>rs</sup> Smalwood & Traverse Ent.<sup>d</sup> a Supplementary Act to the Act Entituled an Act to enable the Justices of Charles County to levy a Sum of Tobacco on the Taxable Inhabitants of Port Tobacco Parish in the said County for the purposes therein mentioned thus Endorsed

By the Lower house of Assembly 30 October 1753

Read the first and Second time by an Especial Order & will pass

Signed p Order M Macnemara Ct Lo H

Read the first time in this house and Ordered to lye on the Table

The following Message with the Bill Entituled An Act to License Hawkers, Pedlars & pettychapmen is Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

By the Upper house of Assembly 31 October 1753

Gentlemen

In Answer to Your Message Sent with the Bill Entituled an Act to License Hawkers Pedlars and Petty Chapman, We must Observe to you that the Fines and Forfeitures Arising on the Breach of Penal  
p. 449 Laws are the undoubted Rights of his Lordship the Lord Proprietary for the Support of Government and that they have been hitherto so Applied unless in some particular Cases where his Lordship for Special reasons hath condescended to the Application of them otherwise That in the first Act passed for the purposes mentioned in this Bill the License Money Fines and forfeitures were to his Lordship and we See no Reason for any Alteration at this Time—For although We agree with you as to the Advantages of Learning yet under the Circumstances of the Schools Established

within this Province We do not Apprehend any Advantage can come to them from what you propose by this Bill as to Induce us to the Application of the License Money Fines and Forfeitures arising thereon to that Use since the Support of Government is at least equally necessary and therefore We hope you will agree to our Amendments and pass the Bill accordingly

U. H. J.  
Liber No. 34  
October 31

Signed p Order John Ross Ct Up H.

A Bill from the Lower house by Mess.<sup>rs</sup> Mills and Chaplin Entitled An Act to enable the parishioners of part of S.<sup>t</sup> Andrews Parish in S.<sup>t</sup> Marys County to Chuse Vestrymen and Churchwardens and to enable the Visitors of the County School in said County to Choose Visitors thus Endorsed.

By the Lower house of Assembly 31 October 1753.

Read the first and second Time by an Especial Order and will pass

Signed p Order Macnemara Ct Lo H

Read the first Time in this house and Ordered to lye on the Table

Read the Petition of the Proprietors of the Lotts in George Town on Rock Creek in Frederick County praying a further time may be given to Improve the Lotts in the said Town—The petition of the Vestrymen & Churchwardens of S.<sup>t</sup> Marys White Chappel parish in Dorchester County praying that five hundred and fifty pounds may be levied on the Taxable Inhabitants of the said parish towards building a Church Referred to the consideration of the Lower house & sent by Benedict Calvert Esq.<sup>r</sup>

Read the petition of Several Inhabitants of Baltimore County Praying a division of the said County, & Rejected

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Co<sup>t</sup> Hammond

Read the second Time the Bill Entitled An Act for Repairing the publick Roads in this Province passed and sent to the Lower house with the following Message by Co<sup>t</sup> Hammond

By the Upper house of Assembly 31 October 1753  
Gentlemen

Upon Reading the Bill Entitled an Act for Repairing the publick Roads within this province We are fully Satisfied that the fines and forfeitures arising upon the breach of all Penal Laws are the undoubted Right of the Lord proprietary for the Support of Govern-

U. H. J. ment, yet as We are of opinion that such a Law, will be of General  
 Liber No. 34 use and Benefit to the people We have Assented to the Bill as it now  
 October 31 stands

Signed p Order John Ross Ct Up H.

Read the second Time the Bill Entituled An Act Impowering the Justices of Baltimore County to levy on the taxable Inhabitants of S.<sup>t</sup> Pauls Parish in said County a sum of Current Money for the uses therein mentioned and will pass, Sent to the Lower house by Cof Tasker

Read the second Time the Bill Entituled An Act for Reducing the Allowance of the Members of the Upper and Lower houses of Assembly of this Province and Ascertainning the publick levy, and will pass with the following amendments, leave out the words, And Ascertainning the publick levy, in the Title, instead of the preamble to the Bill incert the following one, Whereas the lessening of the yearly Allowance to the Members of both houses of Assembly would be a Great ease to the People of this Province in the payment of their publick Dues, leave out the Part of the Bill after the Words, nomore, in the Eleventh Line of the first page to the word, Repealed, in the last line but three in the Second page, Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Read the second Time the Bill Entituled a Supplementary Act to the Act Entituled an Act to prevent the Injuring Harbours within this Province and will not Pass, Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

Adjourned till to Morrow Morning ten of the Clock

November 1

Thursday Morning 1 November 1753

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess.<sup>rs</sup> Govane and Paca Entituled An Act to empower the Commissioners of Baltimore Town to make an Addition thereto of thirty two Acres of Land or thereabouts to be laid out into Lotts thus Endorsed

By the Lower house of Assembly 30 October 1753

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 1 November 1753

Read the second time & will pass

Signed p Order M Macnemara Ct Lo H

Read the first Time in this house and Ordered to lye on the Table

Read the second Time the Bill Entituled an Act for the Speedy Recovery of Small Debts before one Justice of the peace and will pass with the following Amendments instead of, Three Pounds Current Money, in the Seventh, Twenty eighth & thirty Second Lines of the Bill, put fifty Shillings Current Money, sent by Col Plater

U. H. J.  
Liber No. 34  
November 1  
p. 451

Read the petition of the Rector Vestrymen and Churchwardens of S.<sup>t</sup> Anns Parish in Ann Arundel County Praying a Sum of Money may be Raised on the public for building a Commodious Place for fixing a Bell and Clock in the City of Annapolis Referred to the Consideration of the Lower house of Assembly & sent by Benedict Calvert Esq.<sup>r</sup>

Read the second Time the Bill Entituled a Supplementary Act to the Act Entituled an Act to enable the Justices of Charles County to levy a Sum of Tobacco on the Taxable Inhabitants of Port Tobacco Parish in the said County passed and sent by Richard Lee Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The following Message from the Lower house is brought by Mess.<sup>rs</sup> Wagaman and Handy

By the Lower house of Assembly 1 November 1753.  
May It please Your Honours.

By a Report from the Committee of Accounts made last Session a Copy of which we sent to Your honours That Col Geo Gale Administrator of Levin Gale has overpaid a Debt due to the Province from the af.<sup>d</sup> Levin Gale the Sum of £8.7.4½ Sterling for the repayment of which We then proposed to your honours that the Commissioners of the Paper Currency Office should draw on the Trustees in London for that Sum, and Your honours Agreed thereto Since which the Commissioners af.<sup>d</sup> on Application made to them by the af.<sup>d</sup> George Gale/in pursuance of an Order of both houses/Object that they are not Sufficiently empowered by the Paper Curr<sup>cy</sup> Act to make such draught We therefore/propose that the said Commissioners be directed to discharge the Debt af.<sup>d</sup> in Current Money at 55 p Cent difference of Exchange between the Sterling and Currency, with which if your honours Agree an Ordinance may be made out accordingly

Signed p Order M Macnemara Ct Lo H

Adjourned till to Morrow Morning ten of the Clock

U. H. J.  
Liber No. 34  
November 2

Friday Morning 2 Novem.<sup>r</sup> 1753.

This house met again according to Adjournment

Present as Yesterday

Three Bills from the Lower house by Mess.<sup>rs</sup> Mackall & Rasin  
p. 452 One Entituled An Act to enable the persons therein Named to Levy  
and Assess and Apply the Money therein mentioned; An Act im-  
powering the Justices of Prince Georges County to levy on the  
taxable Inhabitants of S.<sup>t</sup> Pauls Parish in the said County a Sum  
of Current Money for the uses therein mentioned, and a Bill for  
the Relief of Thomas Barkley a Languishing Prisoner in Kent  
County Goal, Severally thus Endorsed

By the Lower house of Assembly 1 November 1753

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 2 November 1753.

Read the Second Time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table

Read the Second time the Bill Entituled an Act for Regulating  
Judicial Proceedings, and the Act to enable the Parishioners of part  
of S.<sup>t</sup> Andrews Parish in S.<sup>t</sup> Marys County to Chuse Vestrymen  
and Churchwardens and to enable the Visitors of the County School  
in Said County to Chuse Visitors and will pass, Sent to the Lower  
house by Col Hammond

Read the second time the Bill Entituled an Act to impower the  
Commissioners of Baltimore Town to make an Addition thereto of  
thirty two acres of Land or thereabouts to be laid out into Lotts, and  
will Pass the following Clause being Added thereto, Saving to his  
most Sacred Majesty King George his heirs and Successors, and  
to the Right honourable the Lord Proprietary his heirs & Successors  
and all Bodys Politick and Corporate and all others not mentioned  
in this Act their Several and Respective Rights, Sent by Col Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the first time the Bill prepared in this house Entituled a  
Supplementary And explanatory Act to the Act Entituled An Act  
for the more Effectual punishment of Negroes and Other Slaves  
and for taking away the Benefit of Clergy from Certain Offenders



and a Supplementary Act to the Act Entituled an Act to prevent the Tumultuous Meetings and other irregularities of Negroes and other Slaves and Ordered to lye on the Table

U. H. J.  
Liber No. 34  
November 2

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 3.<sup>d</sup> November 1753

November 3

This house met again according to Adjournment

Present as Yesterday Except Col Hammond

A Bill from the Lower house by Mess.<sup>rs</sup> Hamilton & Dulany Ent.<sup>d</sup> An Act for Raising a duty of three half pence Sterling ꝓ Hogshead on all Tobacco Exported out of this Province for the Use of the Governor

By the Lower House of Assembly 1 November 1753.

Read the first Time and Ordered to lye on the Table

p. 453

Signed ꝓ Order M Macnemara Cl Lo H

By the Lower house of Assembly 3 November 1753

Read the second time and will pass

Signed ꝓ Order M Macnemara Cl Lo H.

Read the first Time in this house and Ordered to lye on the Table

A Bill from the Lower house by Mess.<sup>rs</sup> Tilghman and Gray Entituled an Act for the Adjournment and Continuance of Talbot County Court thus Endorsed

By the Lower house of Assembly 2<sup>d</sup> November 1753.

Read the first & Second Time by Especial Order and will Pass

Signed ꝓ Order M Macnemara Cl Lo H

Read the first Time in this house & Ordered to lye on the Table

Adjourned till Monday Morning ten of the Clock

Monday Morning the 5<sup>th</sup> November 1753

November 5

This house met again according to Adjournment

Present

The Honb. <sup>ts</sup>	{	Benjamin Tasker Esq. <sup>r</sup>	}	Col. Benjamin Tasker
		Col George Plater		Richard Lee Esq. <sup>r</sup>
		Col Charles Hammond		Benedict Calvert Esq. <sup>r</sup>
		Samuel Chamberlain		

Read the Second Time the Bill Entituled an Act for the Adjournm.<sup>t</sup> & Continuance of Talbot County Court, Passed & Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

U. H. J.  
Liber No. 34  
November 5

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.<sup>rs</sup> Lee and Hawkins Entitled an Act to Cutt of the Entail of Part of a Tract of Land called Charley now lying in Charles and Prince Georges Counties and to Entail other Lands in lieu thereof of Equal Value thus Endorsed

By the Lower house of Assembly 5 November 1753.

Read the first and Second time by an Especial Order and will Pass

Signed p Order M Macnemara Ct Lo H

Read the first Time in this house & Ordered to lye on the Table

Read the second Time the Bill Entitled An Act for raising a duty of three half Pence Sterling p hhd on all Tobacco Exported out of this Province for the use of the Governor The Bill Entitled an Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of S.<sup>t</sup> Pauls Parish in the said County a Sum of Current Money for the uses therein mentioned, The Bill Entitled an Act for the Relief of Thomas Barckley a Languishing Prisoner in Kent County Goal—The Bill Entitled a Supplementary & Explanatory Act to an Act Entitled an Act for the more Effectual Punishment of Negroes and Other slaves and for taking away the  
p. 454 Benefit of Clergy from Certain Offenders and a Supplementary Act to An Act Entitled an Act to prevent the Tumultuous meetings & Other Irregularities of Negroes and other Slaves, Passed and sent to the Lower house by Co<sup>t</sup> Hammond

An Engrossed Bill from the Lower house by Mess.<sup>rs</sup> Goldsborough and Edmonson Entitled an Act for the Adjournment & Continuance of Talbot County Court thus Subscribed

5 November 1754.

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H

Read and Assented to by this house and Ordered to be so Subscribed the Paper Bill so Endorsed is sent to the Lower house by Samuel Chamberlain Esq<sup>r</sup>

Co<sup>t</sup> Hammond is sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower house in the Upper house to See the Bill Entitled an Act for the Adjournment and Continuance of Talbot County receive the Assent

The Lower house Attend and by their Speaker Present to his U. H. J.  
 Excy the Engrossed Bill Entituled an Act for the Adjournment & Liber No. 34  
 Continuance of Talbot County Court which his Excellency was November 5  
 pleased to Pass into a Law in the usual Manner by Sealing it with  
 the Right honourable the Lord Proprietary his great Seal at Arms  
 and Subscribing on behalf of the Right honourable the Lord Pro-  
 prietary of this Province I will this be a Law

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 6 Novem.<sup>r</sup> 1753

November 6

This house met again according to Adjournment

Present as Yesterday

The following Message is Sent to the Lower house by Samuel  
 Chamberlain Esq.<sup>r</sup>

By the Upper house of Assembly 6<sup>th</sup> November 1753  
 Gentlemen

This house is willing that the Sum of £8..7..4½ Sterling due to  
 Col. George Gale as Administrator of Levin Gale Esq.<sup>r</sup> be paid  
 by the Commissioners of the Paper Currency Office at fifty five ꝓ  
 Centum difference of Exchange between Sterling and Currency

Signed ꝓ Order John Ross Ct Up H

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 7 November 1753

November 7

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas  
 Esq.<sup>r</sup>

Two Bills from the Lower house by Mess.<sup>rs</sup> Mackall & Paca one p. 455  
 Entituled an Explanatory Act to the Act Entituled an Act for mark-  
 ing of highways and making the heads of Rivers Creeks Branches

U. H. J. and Swamps Passable for horse and foot, and a Bill Ent.<sup>d</sup> a Supple-  
 Liber No. 34 mentary Act to the Act Entituled an Act to Aid the Title of Pur-  
 November 7 chasers of Lotts in Princess Ann Town in Somerset County thus  
 Endorsed

By the Lower house of Assembly 5 November 1753.

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 7 November 1753.

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H

Read the first Time in this house and Ordered to lye on the Table

Read the first Time a Bill Prepared in this house Ent.<sup>d</sup> An Act  
 to prevent the injuring Patapsco River, & Ordered to lye on the  
 Table

Adjourned till to Morrow Morning Ten of the Clock

November 8

Thursday Morning 8 November 1753.

This house met again according to Adjournment

Present as Yesterday

Read the Petition of John Subbard a Languishing Prisoner in  
 Kent County Goal Praying relief Referred to the Consideration of  
 the Lower house of Assembly and sent by Benedict Calvert Esq.<sup>r</sup>

Read the Second Time the Bill Entituled An Act to Prevent  
 the injuring Patapsco River—The Bill Entituled an Act to Cutt off  
 the Entail of part of a Tract of Land now lying in Charles and  
 Prince Georges Counties and to Entail Lands of Equal Value in  
 Lieu thereof the Bill Entituled a Supplementary Act to the Act  
 Entituled an Act to Aid the Title of purchasers of Lotts in Princes  
 Ann Town in Somerset County, & will pass Sent to the Lower  
 house by CoI Tasker

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.<sup>rs</sup> Key & Dulany Entituled  
 an Act for Amending the Staple of Tobacco for preventing Frauds  
 in his Majestys Customs & for the Limitation of Officers fees thus  
 Endorsed

By the Lower house of Assembly 2<sup>d</sup> November 1753.

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 7 November 1753.  
Read the second time & will pass.

U. H. J.  
Liber No. 34  
November 8

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table p. 456  
Adjourned till to Morrow Morning ten of the Clock

Friday Morning 9 November 1753.

November 9

This house met again according to Adjournment

Present as Yesterday

Twenty Engrossed Bills from the Lower house by Mess.<sup>rs</sup> Mackall and Hamilton viz A Bill Entituled an Act for Tryal of all Matters of Fact in the Several Countys where they have Arisen or shall Arise—A Bill Ent.<sup>d</sup> an Act for the Advancement of Justice—A Bill Entituled An Act Continuing an Act Entituled an Act for the Gauge of Barrels for Pork Beef Pitch Tar Turpentine and Tare of Barrels for flour and Bread—A Bill Entituled an Act continuing an Act Entituled an Act for Remedy of Some Evils relating to Servants—A Bill Entituled an Act continuing an Act Ent.<sup>d</sup> an Act to prevent the ill practices of Sheriffs in the Collecting & Payment of the publick & County levies—A Bill Entituled An Act Continuing an Act Entituled a supplementary Act to the Act Entituled An Act Ascertainning the height of Fences to prevent the evil occasioned by the Multitudes of Horses and restraining Horse Rangers within this Province and to redress the great evil accruing to this Province by the Multiplicity of useless Horses Mares and Colts that run in the woods—A Bill Entituled An Act continuing an Act Entituled an Act for Relieving the Inhabitants of this Province from Some agreivances in the Prosecution of Suits at Law and for continuing the Supplementary Act thereto, A Bill Entituled an Act to prevent Masters of Ships and Vessels from Clandestinly Carrying Servants or Slaves or persons Indebted out of this Province—A Bill Ent.<sup>d</sup> an Act to prevent persons from Secreting Flats Boats or Other Vessels drove by Stress of Weather or otherwise from Landings or Moorings—A Bill Entituled An Act for the Relief of Thomas Barkley a languishing Prisoner in Kent County Goal a Bill Entituled a supplementary Act to the Act Entituled an Act to enable the Justices of Charles County to levy a sum of Tobacco on the Taxable Inhabitants of Porttobacco Parish in the said County for the purposes therein mentioned—A Bill Entit.<sup>d</sup> An Act for the Speedy Recovery of Small debts out of Court before one Justice of the peace—A Bill Entituled an Act to impower the Several Courts within this Province to Order Commissions for the Examination of Witnesses residing beyond Sea and for the more Easy forclosure of Mortgages—A Bill entituled An Act impowering the Incumbent &

U. H. J. Vestrymen of S.<sup>t</sup> Michaels Parish in Talbot County and James  
 Liber No. 34 Tilghman of the said County and Ann his Wife to make an Ex-  
 November 9 change of Certain Lands therein mentioned; A Bill Entituled An  
 Act for repairing the publick roads in this Province—A Bill En-  
 tituled an Act for regulating Judicial Proceedings—A Bill Entituled  
 an Act empowering the Justices of Prince Georges County to levy  
 on the Taxable Inhabitants of S.<sup>t</sup> Pauls Parish in the said County a  
 Sum of Current Money for the uses therein mentioned—A Bill  
 p. 457 entituled an Act Enabling the Parishioners of Part of S.<sup>t</sup> Andrews  
 parish in S.<sup>t</sup> Marys County to Choose Vestrymen and Church-  
 wardens and to enable the Visitors of the County School in said  
 County to Choose Visitors; a Bill Ent.<sup>d</sup> An Act empowering the  
 Commissioners of Baltimore Town to make an Addition thereto of  
 thirty two Acres of Land or thereabouts to be laid out into Lotts;  
 A Bill Entituled an Act for raising a duty of three half pence Sterling  
 p hhd on all Tobacco Exported out of this Province Severally thus  
 Subscribed

9 November 1753

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and Assented to by this house & Ordered to be so Sub-  
 scribed

Two Bills from the Lower house by M<sup>r</sup> Walter Dulany & Doctor  
 Hamilton, One entituled An Act for the Vesting & Settling an  
 Estate in fee Simple to Horatio Samuel Middleton & his heirs in a  
 Certain parcell of Ground in the City of Annapolis and the other  
 Entituled an Act empowering the Justices of Prince Georges County  
 to levy on the Taxable Inhabitants of the said County a Sum not  
 exceeding 3000 pounds of Tobacco for the uses therein mentioned  
 both thus Endorsed

By the Lower house of Assembly 9 Novem.<sup>r</sup> 1753.

Read the first and second Time by an Especial Order and will  
 Pass

Signed p Order M Macnemara Ct Lo H.

and the Bill Entituled An Act to prevent the Injuring Patapsco  
 river thus Endorsed

By the Lower house of Assembly 8 Novem.<sup>r</sup> 1753

Read the first and second time by an Especial Order & will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 10 Novem.<sup>r</sup> 1753

U. H. J.  
Liber No. 34  
November 10

This house met again according to Adjournment

Present as Yesterday

The Journal of Accounts is brought from the Lower house by Mess.<sup>rs</sup> Goldsborough and Stoddart thus Subscribed

10 November 1753

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H

Two Bills from the Lower house by Mess.<sup>rs</sup> Williamson & Falconar One entituled an Act for the Relief of John Subbard a Languishing Prisoner in Kent County Goal, the other entituled an Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of the said County a Sum not Exceeding 3000 pounds of Tobacco for the uses therein mentioned thus Endorsed

By the Lower house of Assembly 8 November 1753.

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 9 November 1753.

p. 458

Read the second Time and will pass

Signed p Order M Macnemara Ct Lo H

Read the first time in this house & Ordered to lye on the Table

Adjourned till Monday Morning ten of the Clock

Monday Morning 12 November 1753

November 12

This house met again according to Adjournment

Present

The Honourable	Benjamin Tasker Esq <sup>r</sup>	Philip Thomas Esq <sup>r</sup>
	Cof George Plater	Cof Benjamin Tasker
	Cof Charles Hammond	Richard Lee Esq. <sup>r</sup>
	Samuel Chamberlain Esq <sup>r</sup>	Benedict Calvert Esq <sup>r</sup>

Read the Petition of John Leeds a Languishing Prisoner in Talbot County Goal Praying Relief, Referred to the Consideration of the Lower house of Assembly & Sent by Samuel Chamberlain Esq.<sup>r</sup>

A Bill from the Lower house by Mess<sup>rs</sup> Crabb & Falconar Entituled An Act to Repeal an Act Entituled an Act for the Con-

U. H. J. firmation of the Land therein mentioned to Richard Bennett Esq.<sup>r</sup>  
 Liber No. 34 thus Endorsed  
 November 12

By the Lower house of Assembly 29 October 1753

Read the first Time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 11 November 1753.

Read the Second Time and will Pass.

Signed p Order M Macnemara Ct Lo H

Read the first time in this house and Ordered to lye on the Table

Read the Second Time the three following Bills—A Bill Entituled an Act empowering the Justices of Prince Georges County to levy 3000 pounds of Tobacco for the uses therein mentioned, a Bill Entituled An Act for the vesting and settling an Estate in fee Simple to Horatio Samuel Middleton and his heirs in a Certain parcell of Ground in the City of Annapolis, a Bill Entituled an Act to enable the Persons therein Named to levy and Assess the money therein mentioned and will Pass Sent to the Lower house by Benedict Calvert Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Richard Lee Esq.<sup>r</sup> from the Committee Appointed to Inspect the Accounts & proceedings of the Paper Currency Office brings in the following Report viz.<sup>t</sup>

Maryland ss.

At a Committee of Both houses of Assembly Appointed to inspect the Office & proceedings of the Commissioners for Emitting Bills of Credit establish'd by Act of Assembly, & to Report the state & Condition thereof

October 16.<sup>th</sup> 1753.

Were Present

p. 459 The Honourable Colonel Richard Lee of the Upper House

Major Abraham Barnes	} of the Lower House
Captain Zachariah Bond	
Cot Richard Harrison	
Cap. <sup>t</sup> Arthur Lee &	
M. <sup>r</sup> Walter Dulany	

Who make choice of and Appoint the Honourable Richard Lee Esq.<sup>r</sup> Chairman, & Richard Dorsey Clerk & Proceed to make the following Report Viz.<sup>t</sup>



Your Committee having Carefully Inspected the State of the Office for Emitting the Bills of Credit established by Act of Assembly do find that there Remains of the £89990 A Ballance in the Iron Chest at the Close of the Books to April the 10th 1753/as p the following Account/the Sum of £1578..16..5 $\frac{3}{4}$ .

C. H. J.  
Liber No. 34  
November 12

D.<sup>r</sup> The Office for Emitting Bills of Credit in the Province of Maryland from the 10<sup>th</sup> day of April 1751 to the 10<sup>th</sup> April 1753 Inclusive

To Ballance p Acc. <sup>t</sup> Closed to April 10 <sup>th</sup> 1751 as p Report June 17 <sup>th</sup> following	940.. 8.. 8 $\frac{1}{2}$
To Money paid in by Sundry Sheriffs for Ordinary Licenses	474.. 7.. 9 $\frac{1}{2}$
To D <sup>o</sup> paid by Edw. <sup>d</sup> Dorsey for part of the Costs of Suit on Jn <sup>o</sup> Evans Bond	2.. 1.. 0
To D. <sup>o</sup> paid by Nehemiah King for Costs of Suit ag. <sup>t</sup> Tunstalls Exec. <sup>s</sup>	4.. 2.. 8
To principal Money paid into the Office on Loans	1858..11.. 1 $\frac{3}{4}$
To Interest Money paid into Ditto	754.. 8.. 3 $\frac{1}{4}$
	<hr/>
	£4034.. 9.. 6 $\frac{3}{4}$

C.<sup>r</sup>

By Money lent on Interest	£1725..12.. 0
By D <sup>o</sup> paid the Commissioners & Clerks their Salarys	640.. 0.. 0
By D. <sup>o</sup> for Cleaning the Office and for firewood &c. <sup>a</sup>	23.. 7.. 6
By Money paid for officers & Lawyers fees &c	66..13.. 7
By Ballance of Coined or Signed Money in the Chest	1578..16.. 5 $\frac{3}{4}$
	<hr/>
D. <sup>r</sup> the Same Office	£4034.. 9.. 6 $\frac{3}{4}$

To principal Money paid into the Office as p Re- port Anno 1750	24865..14.. 6
To D <sup>o</sup> paid into D. <sup>o</sup> to April 1753 Inclusive	8158..11.. 1 $\frac{3}{4}$
To Ballance of principal Money at Interest	16645..14..11 $\frac{1}{4}$
	<hr/>
	£43369.. 0.. 7

C.<sup>r</sup>

By Principal Money at Interest as p Report Anno 1750	41643.. 8.. 7
By Ditto on Ditto to April 10 <sup>th</sup> 1753 Inclusive	1725..12.. 0
	<hr/>
	£43369.. 0.. 7

U. H. J. Your Committee at the Desire of the Commissioners did Count  
 Liber No. 34 over and See destroyed the following Torn and defaced Bills  
 November 12 amounting to the Sum of £694..12..0. viz.<sup>t</sup>

3646	Bills of One shilling Value each	182.. 6.. 0
2449	Ditto of one Shilling & Six pence Value each	183..13.. 6
769	Ditto of two Shillings & Six pence Value each	96.. 2.. 6
328	Ditto of five Shillings Value Each	82.. 0.. 0
103	Ditto of Ten Shillings Value Each	51..10.. 0
40	Ditto of fifteen Shillings Value Each	30..—..—
69	Ditto of Twenty Shillings Value Each	69..—..—

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£694..12.. 0

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Your Committee further find that there is due from Several Sheriffs on Account of Ordinary Licenses the Sum of £1482..12..9½ as p the following Accounts.

p. 460

D. <sup>r</sup> Roger Boyce late Sheriff of Baltimore County	
To Ballance as p Report in May Session 1750	91.. 4.. 0
To List of Ordinary Licenses 1750	26..19.. 6
	<hr/>
	£118.. 3.. 6

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C.<sup>r</sup>

1752 By Money Paid	82..18.. 0
By Commission on £26..19..6	1.. 6..11
Ballance	33..18.. 7
	<hr/>
	£118.. 3.. 6

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D. <sup>r</sup> James Rigbie late Sheriff of Baltimore County	
To Ballance p Report in May Session 1750	£53..16.. 7½

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D. <sup>r</sup> John Ristean late Sheriff of Baltimore County.	
To Ballance p Report in May Session 1750	£126..10.. 0

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D. <sup>r</sup> Henry Morgan late Sheriff of Baltimore County	
To Ballance p Report May Session 1750	£26.. 2.. 6

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D. <sup>r</sup> Thomas Sheredine late Sheriff of Baltimore County	
To List of Licenses 1750	£25..10.. 0
To D. <sup>o</sup> 1751	59..15..10

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£85.. 5..10

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C.<sup>r</sup>

U. H. J.  
Liber No. 34  
November 12

By Commission  
Ballance

4.. 5.. 3½  
81.. 0.. 6½

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£85.. 5.. 10

---

D.<sup>r</sup> Thomas Sheredine jun<sup>r</sup> late Sheriff of Baltimore County  
To 1 Ordinary License in 1752

£1.. 0.. 10

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C.<sup>r</sup>

By Commission  
Ballance

0.. 1.. 0½  
.. 19.. 9½

---

£1.. 0.. 10

---

D.<sup>r</sup> Thomas Franklyn late Sheriff of Baltimore County  
To Part of the List of Ordinary Licenses 1752

£40.. 16.. 8

C.<sup>r</sup>

By Commission  
Ballance

£2.. 10.. 10  
38.. 15.. 10

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£40. 16.. 8

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D.<sup>r</sup> William Young Sheriff of Baltimore County  
To part of the list of Inholders 1752

£10.. 0.. 0

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C.<sup>r</sup>

By Commission  
Ballance

0.. 10.. 0  
9.. 10.. 0

---

£10.. 0.. 0

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D.<sup>r</sup> Ennals Hooper late Sheriff of Dorchester County  
To Ballance as p Report in May Session 1750  
To Commission on £3.. 15.. 0 p Contra

£34.. 8.. 9  
0.. 3.. 9

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£34.. 12.. 6

---

C.<sup>r</sup>

By an Error in Report 1750  
Ballance

£3.. 15.. 0  
30.. 17.. 6

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£34.. 12.. 6

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U. H. J.	D. <sup>r</sup> Bartholomew Ennals late Sheriff of Dorchester County	
Liber No. 34	To two Ordinary Licenses in Novem. <sup>r</sup> 1749	4.. 7.. 6
November 12	To 1 Ditto in March 1749	1.. 0.. 10
	To List of Licenses Granted in August 1750	12.. 10.. 0
	To Ditto in August 1751	15.. 0.. 0
	To Ditto in Ditto 1752	2.. 0.. 0
		<hr/>
		£52.. 10.. 4

C.<sup>r</sup>

p. 461	By Money Paid	2.. 15.. 5
1750	By Ditto for Licenses granted in the Year 1750	11.. 17.. 6
April 16 <sup>th</sup>	By Ditto for Ordinary Licenses	19.. —.. —
1751	By Commission	2.. 12.. 5
May 10	By Commission	16.. 13.. 0
1752	Ballance	
Sept. <sup>r</sup> 27		
		<hr/>
		£52.. 18.. 4

D. <sup>r</sup> Daniel Sullivane Sheriff of Dorchester County	
To Ordinary Licenses granted in Nov. <sup>r</sup> 1752	£5.. 0.. 0

C.<sup>r</sup>

By Commission	0.. 5.. 0
Ballance	4.. 15.. 0
	<hr/>
	£5.. 0.. 0

D. <sup>r</sup> Nehemiah King late Sheriff of Somerset County		
To Ordinary Licenses granted in August 1750	10..	0.. 0
To Ditto in August 1751	12..	10.. 0
To Ditto in August and November 1752	15..	0.. 0
	<hr/>	
	£37..	10.. 0

C.<sup>r</sup>

1751 May 27	By Money Paid	11.. 17.. 6
Sept 11	By D. <sup>o</sup> for Licenses granted August 1751	11.. 17.. 6
	By Commission	1.. 17.. 6
	Ballance	11.. 17.. 6
		<hr/>
		£37.. 10.. 0

D. <sup>r</sup> Walter Hanson late Sheriff of Charles County	
To Ballance as p Report May Session 1750	£23.. 15.. 0

D. <sup>r</sup> Samuel Hanson late Sheriff of Charles County			U. H. J.
To Ballance as p Report in May Session 1750 for			Liber No. 34
Licenses granted from March 1745 to November 1746 Inclusive	12..11..	9	November 12
To an Error in the List of Licenses above Charged	0..10..	0	
To List of Licences from March 1746 to August 1747 Inclusive	16..	5.. 0	
To D. <sup>o</sup> from Novem. <sup>r</sup> 1748 to August 1750 Inclusive	57..	1.. 8	
	<hr/>		
	£86..	8.. 5	
	<hr/>		

C.<sup>r</sup>

By Money paid for Licenses Granted in 1749	35..	4.. 1½	1750
By Commission on £73..16..8	3..13..	10	Nov. <sup>r</sup> 21
Ballance	47..	10.. 5½	
	<hr/>		
	£86..	8.. 5	
	<hr/>		

D. <sup>r</sup> Thomas Hungerford late Sheriff of Charles County			
To Ballance as p Report in May Session 1750 for			
Licenses Granted in March Court 1747 & August Court 1748	17..	4.. 4½	
To Ordinary Licenses granted in the Same Courts omitted to be before Charged	5..	8.. 5	
	<hr/>		
	£22..	12.. 9½	
	<hr/>		

C.<sup>r</sup>

By Commission on £5..8..5	0..	5.. 5	
Ballance	22..	7.. 4½	
	<hr/>		
	£22..	12.. 9½	
	<hr/>		

D. <sup>r</sup> John Hanson Sheriff of Charles County			
To List of Ordinary Licenses granted in Novem. <sup>r</sup> 1750 & Nov. <sup>r</sup> 1751 & June August & November 1752	61..	18.. 4	
	<hr/>		

C.<sup>r</sup>

By Money Paid for Licenses granted in Novem. <sup>r</sup> 1750	3..	11.. 3	1751
By Commission on £61..18..4	3..	1..11	Sept. <sup>r</sup> 11
Ballance	55..	5.. 2	
	<hr/>		
	£61..	18.. 4	
	<hr/>		

U. H. J. Liber No. 34 November 12	D. <sup>r</sup> Thomas Harris Sheriff of Queen Anns County To List of Ordinary Licenses November Court 1751	10.. 0.. 2
p. 462	To D. <sup>o</sup> from March to November 1752 Inclusive	28..19.. 2
		<hr/> £38..19.. 2 <hr/>
	C. <sup>r</sup>	
	By Money Paid for Licenses Granted in November 1751	9..10.. 0
	By Commission	1..18..11
	Ballance	27..10.. 3
		<hr/> £38..19.. 2 <hr/>
	D. <sup>r</sup> Jacob Jones late Sheriff of Kent County To Ballance as p Report in May Session 1750	34.. 4.. 9 $\frac{1}{4}$
	To List of Licenses from March to August 1750 Inclusive	29.. 3.. 4
		<hr/> £63.. 8.. 1 $\frac{3}{4}$ <hr/>
	C. <sup>r</sup>	
1750 April 19	By Money Paid for Licenses Granted in 1749	30.. 1.. 8
	By Ditto for Ditto from March 1749 to Novem. <sup>r</sup> 1750 Inclusive	27..14.. 2
	By Commission on £29..3..4	1.. 9.. 2
	Ballance	4.. 3.. 1 $\frac{3}{4}$
		<hr/> £63.. 8.. 1 $\frac{3}{4}$ <hr/>
	D. <sup>r</sup> John Williamson Sheriff of Kent County To List Licenses 1751	34.. 3.. 4
	To Ditto in 1752	41..12.. 6
	To List of Fines for Breaches of the Ordinary License Law	2..10.. 0
		<hr/> £78.. 5..10 <hr/>
	C. <sup>r</sup>	
1752 April 22 <sup>d</sup>	By Money Paid for Licenses Granted in the Year 1751	32.. 9.. 2
	By Commission on £78.. 5..10	8..18.. 3 $\frac{1}{2}$
	Ballance	41..18.. 4 $\frac{1}{2}$
		<hr/> £78.. 5..10 <hr/>

D. <sup>r</sup> William Thomas late Sheriff of Talbot County		U. H. J.
To List of Licenses Granted in March 1749 & August 1750	18..10..10	Liber No. 34
To Ditto in June & August 1751	15.. 8.. 4	November 12
	<hr/> £32..19..2	

C.<sup>r</sup>

By Money paid for Licenses granted in March 1749 & Aug. <sup>t</sup> 1750	17..12.. 3	1751 June 15
By Commission	1..13..11½	
Ballance	14..12..11½	
	<hr/> £33..19.. 2	

D. <sup>r</sup> Thomas Bozman late Sheriff of Talbot County	
To List of Licenses in November 1751	<hr/> 3..15.. 0

C.<sup>r</sup>

By Commission	0.. 3.. 9
Ballance	3..11.. 3
	<hr/> £3..15.. 0

D. <sup>r</sup> William Manduit late Sheriff of Prince Georges County	
To Ballance as p Report in May Session 1750	7.. 2.. 6
To the amount of the ordinary Licenses granted } from March 1747 to August 1747 Inclusive }	55..12.. 6
	<hr/> 62..15.. 0

C.<sup>r</sup>

By Commission on £55.12..6	2..15.. 7½
Ballance	59..19.. 4½
	<hr/> 62..12.. 0

D. <sup>r</sup> John Cooke late Sheriff of Prince Georges County		p. 463
To Ballance as p Report in May Session 1750	113.. 4.. 4½	
To List of Licenses from March 1750 to Nov. 1751 both Inclusive	52..18.. 4	
To D. <sup>o</sup> from March 1751 to November 1752 both Inclusive	£97.. 1.. 4	
	<hr/> £263.. 4.. 0½	

By Money Paid	64.. 2.. 6	
By D. <sup>o</sup> for Licenses granted in 1750 & 1751	95.. 4.. 0	1750 May 18
By Commission on £150..19.. 8	7..10..11	1752 May 19
Ballance	96.. 6.. 7½	
	<hr/> £263.. 2.. 6	

U. H. J. Your Committee observe that the Clerks of S.<sup>t</sup> Marys and Frederick Counties have not returned Lists of Ordinary Licenses granted in these Countys for the years 1751 & 1752 & that the Clerks of Talbot and Cecil Counties have not Returned Lists for the Year 1752 for want of which Lists we cannot ascertain the Sums Due from the Sheriff of said Counties in those years

Liber No. 34  
November 12

Your Committee further find that the Money taken out of the Office by Virtue of an Act of Assembly Passed in the Year 1740 for encouragement of Persons voluntarily Inlisting in his Majestys Service for the Expedition against Cuba the Sum of £686..14..4 remains due and that by the Same Act it is Directed that the Money should be Replaced in the Office by three Equall Assessments on the publicks of which only two Assessments have been made and that there is also due to the said Office for Money taken out for the Expedition against Canada which is to be replaced by Ordinary Licenses the Sum of £2939..10..10 $\frac{3}{4}$ .

All which is Submitted to the Consideration of both houses this 12<sup>th</sup> Day of November 1753.

Rich<sup>d</sup> Lee  
A Barnes  
Zach Bond  
Rich.<sup>d</sup> Harrison  
Arthur Lee  
Walter Dulany

Mem.<sup>a</sup> Money Paid into the Office by Severall of the Sheriffs & late Sheriffs beforementioned for Ordinary Licenses &c. Since the Closing of the Books. viz

John Williamson Sheriff of Kent County	£41..18.. 6
Thomas Harris Sheriff of Queen Anns County	27..10.. 3
Nathan Hammond Sheriff of Ann Arundel County	81..10.. 9
Nehemiah King Sheriff of Somerset County	14.. 5.. 0
Ephraim Waggaman Sheriff of Worcester County	1..15.. 7 $\frac{1}{2}$
Samuel Hanson late Sheriff of Charles County	27.. 2.. 3
Thomas Franclin late Sheriff of Baltimore County	36.. 8.. 4
William Young Sheriff of Same County	9..10.. 0
William Thomas late Sheriff of Talbot County	14..12..11

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254..13..7 $\frac{1}{2}$

p. 464 Read the Second Time the Bill Entituled An Act for Amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for the Limitation of officers fees, and will pass with the Amendments proposed in a Schedule herewith Sent to the Lower house by Cof Hammond In the 17th Line of the first Page between the



words Mate, & Boatswain, put, or instead of and, In the 13th Line of 13th Page and the Second Line of 14th Page, make the Sheriffs Salary Six instead of five. In the Secretarys fees; making up the issue when done by the Clerk, leave out when done by the Clerk: A venirefacias for jurors if issued by Orders of the Court leave out, if issued by Order of the Court: A Copy of the Judgment if demanded and delivered leave out, if demanded & delivered Commissary Generals fees every Letter of Administration or Letters Testamentary if Granted by the Commissary General, leave out if granted by the Commissary General; for every Bond taken by him leave out if taken by him; Every Oath if Administred by him leave out, if Administred by him: A Warrant to Appraisers if granted by him leave out if granted by him; the Judge or Register of the Land office fees Recording Certificate p Side make Nine instead of Seven, Every Petition and Order thereon make one hundred and fifty instead of one hundred and Twenty: Copies p Side & other, Services per Side make Nine instead of Seven. County Clerks fees every Imparlance of the Defendant leave out, of the Defendant Entering Plea and Demurrer make filing every Plea & Demurrer for making up the issue, when done by the Clerk leave out done by the Clerk, Venirefacias for a Jury if issued by Order of Court leave out if issued by Order of Court. Short Copy Judgment, if demanded and delivered leave out if demanded and delivered, Criminal fees issuing a Venirefacias or Warrant and Recording or filing the same make a venirefacias or Warrant and filing the same Sheriff fees, Collecting the publick and County dues & Officers fees p hundred make Six instead of five Exceeding a Commission of Resurvey p day make Seventy five instead of Sixty Impanelling a Jury make One hundred and Eighty instead of one hundred & Twenty, Every Oath make Nine instead of Seven Surveyor Generals fees for Journy fees if the same be distant from the Court house make for Journey fees if the same be distant from the Surveyors house, in the Resurvey of One hundred and forty Acres of Land under, made in a Circumferntor Chain and other necessary Instruments be the same made up of one or more Tracts leave out the words, be the same made up of one or more Tracts in the next Article make the word excluding, Computing, Clerk of the Courts of Appeals Recording and Copying p Side make Nine instead of Seven Clerk of the Council. Recording and Copying p Side make Nine instead of Seven make the allowance to the Printer Forty Shillings instead of thirty Shillings.

U. H. J.  
Liber No. 34  
November 12

p. 465

A Bill from the Lower house by Mess.<sup>rs</sup> Hyland and Rasin Entituled an Act continuing an Act Entituled an Additional Supplementary Act to the Act Entituled An Act for laying out and erecting

U. H. J. a Town at a Place called Long Point on the West Side of North East  
 Liber No. 34 River in Cecil County thus Endorsed  
 November 12

By the Lower house of Assembly 16 October 1753

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 12 November 1753

Read the Second Time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house & Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

November 13

Tuesday Morning 13 November 1753

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess.<sup>rs</sup> Hamilton & Falconar  
 Entituled a Supplementary and Explanatory Act to the Act for the  
 more effectual Punishment of Negroes &c. thus Endorsed

By the Lower house of Assembly 5 November 1753

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 13 November 1753

Read the Second time and with the following Clause, and Be it  
 Enacted that where any Person or Persons shall be prosecuted for  
 killing any Slave or Slaves resisting as by the said Act Entituled  
 an Act for the more Effectual punishment of Negroes and Other  
 Slaves and for taking away the Benefit of Clergy from Certain  
 offenders and a supplementary Act to an Act Entituled an Act to  
 prevent the Tumultuous meeting and other Irregularities of Negroes  
 and other Slaves that then and in such Case the Publick of this  
 p. 466 Province shall pay such Person or Persons all his Costs and Charges  
 which he or they shall be at by means of such Prosecution, being  
 Added, and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first & Second Time in this house by an Especial Order  
 and with the Amendment proposed will pass

A Bill from the Lower house by Mess.<sup>rs</sup> Oldham and Williamson  
 Entituled an Act for the Relief of Daniel Hull a languishing Pris-  
 oner in Talbot County Goal thus Endorsed

By the Lower house of Assembly 13 November 1754 [1753]

Read the first and Second time by an Especial Order & will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house & Ordered to lye on the Table  
A Bill from the Lower house by Mess.<sup>rs</sup> Paca and Gresham Entituled  
a Supplementary Act to the Act Entituled a Supplementary Act  
to the Act entituled an Act impowering the Justices of Baltimore  
County Court to assess and levy a Sum of Current Money for the  
Purposes therein mentioned thus Endorsed

U. H. J.  
Liber No. 34  
November 13

By the Lower house of Assembly 12 November 1753

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara C<sup>t</sup> Lo H.

By the Lower house of Assembly 13 November 1753

Read the Second Time and will pass

Signed p Order M Macnemara C<sup>t</sup> Lo H.

Read the first Time in this house and Ordered to lye on the Table

Read the Second Time the Bill Entituled an Explanatory Act to  
the Act Entituled an Act for the marking of highways and making  
the heads of Rivers Creeks Branches and Swamps passable for Horse  
and foot and will pass with the following Amendments, Leave out  
the Words after the word, Provided, in the 10<sup>th</sup> Line to the word  
that, in the 12<sup>th</sup> Line, Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Read the first time the Bill prepared in this house Entituled an  
Act to prevent the Injuring the Navagation to Baltimore Town and  
to the Inspection house at Elk Ridge Landing on Patapsco River and  
Ordered to lye on the Table

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning.

Adjourned till to Morrow Morning ten of the Clock

p. 467

Wednesday Morning 14th 1753.

November 14

This house met again according to Adjournment

Present as Yesterday

The Journal of Accounts is Sent to the Lower house with the  
following Message by Samuel Chamberlain Esq.<sup>r</sup>

By the Upper house of Assembly 14th November 1753  
Gentlemen

Upon perusal of the Journal of Accounts We find you have not  
inserted therein the following allowances, To the late Governor for  
the Seal of five Special Commissions of Oyer & Terminer and Goal  
delivery to Cecil County To Ditto for the Seals to 15.<sup>th</sup> Proclama-

U. H. J.  
Liber No. 34  
November 14

tions relating to his Lordships assent to the Inspection Law, The Attendance of the Council of State Since the year 1747. The yearly Salary to the Clerk of the Council from the year 1747 these articles being allowed the Journal will pass

Signed p Order John Ross Cl Up H.

Read the Second Time the Bill Entituled An Act to prevent the Injuring the Navagation to Baltimore Town and to the Inspecting house at Elk Ridge Landing on Patapsco River; The Bill Entituled a Supplementary Act to the Act Entituled an Act impowering the Justices of Baltimore County Court to assess and levy a sum of Current Money for the uses therein mentioned The Bill Entituled an Act continuing an Act Entituled An Additional Supplementary Act to the Act Entituled an Act for laying out and erecting a Town at a Place called Long Point on the West Side of North East River in Cecil County The Bill Entituled an Act for the Relief of John Subbard a Languishing Prisoner in Kent County Goal, The Bill Entituled an Act for the Relief of Daniel Hull a Languishing Prisoner in Kent County Goal, and will pass, Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Merdiem

This house met again according to Adjournment

Present as in the Morning

The Bill Entituled an Act to prevent the Injuring the Navagation to Baltimore Town and to the Inspecting house at Elk Ridge Landing on Patapsco River is brought from the Lower house by Mess.<sup>rs</sup> Govane and Ridgeley thus Endorsed

By the Lower house of Assembly 14th November 1753

Read the first & Second time by an Especial Order & will pass

Signed p Order M Macnemara Ct Lo H.

p. 468

Read in this house and passed for Engrossing

Read the Second time the Bill Entituled an Act for the Confirmation of the Lands therein mentioned to Richard Bennett Esq.<sup>r</sup> and will pass, Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Adjourned till to Morrow Morning ten of the Clock

November 15

Thursday Morning 15 November 1753

This house met again according to Adjournment

Present as Yesterday

Two Bills from the Lower house by Mess.<sup>rs</sup> Crabb & Chaplin, one entituled an Act to enable the Justices of Frederick County for the

time being to levy on the Taxable Inhabitants of the said County a Sum of Money for the uses therein mentioned, and the other Entituled a Supplementary Act to the Act Entituled an Act for the Relief of Creditors in England against Bankrupts who have Imported any Goods into this Province not accounted for both thus Endorsed.

U. H. J.  
Liber No. 34  
November 15

By the Lower house of Assembly 15<sup>th</sup> November 1753

Read the first and Second time by an Especial Order & will Pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower house by Mess.<sup>rs</sup> Dulany and Harrison Entituled An Act for Amending the Staple of Tobacco for, preventing frauds in his Majestys Customs and for the Limitation of officers fees thus subscribed

15 November 1753.

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and Assented to by this house & Ordered to be so Subscribed

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 16th November 1753

November 16

This house met again according to Adjournment

Present as Yesterday

Three Engrossed Bills from the Lower house by Mess.<sup>rs</sup> Bond and Lee, viz<sup>t</sup> a Bill Entituled an Act to cut of the Entail of Part of a Tract of Land called Charley now lying in Charles and Prince Georges Countys and to Entail Lands of Equal value in lieu thereof— A Bill Entituled An Act to Repeal an Act Entituled an Act for the Confirmation of Lands therein mentioned to Richard Bennett Esq.<sup>r</sup>— A Bill entituled An Act for the Vesting and Settling an Estate of Inheritance in fee Simple of and in a Certain parcell or Lott of Ground in the City of Annapolis containing One hundred and Twenty feet in Length formerly by an Act of Assembly of this Province Confirmed to Robert Gordon of the City of Annapolis Merchant on Horatio Samuel Middleton and his heirs for ever, Severally thus Subscribed

p. 469

U. H. J.  
Liber No. 34  
November 16

16 November 1753.

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and Assented to by this house and Ordered to be so  
Subscribed

Two Engrossed Bills viz<sup>t</sup> The Bill Entituled a Supplementary and Explanatory Act to the Act entituled an Act for the more Effectual punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain offenders; and a Supplementary Act to an Act—Entituled an Act to prevent the tumultuous meetings and other irregularities of Negroes and other Slaves The Bill Entituled An Act to prevent the Injuring the Navigation to Baltimore Town and to the Inspecting house at Elk Ridge Landing on Patapsco River both, thus Subscribed

16 November 1753

Read and Assented to by the Upper house of Assembly

Signed p Order John Ross Ct Up H.

Are Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

A Message from the Lower house with the Journal of Accounts  
by Mess.<sup>rs</sup> Stoddart and Magruder

By the Lower house of Assembly 16 November 1753

May it Please your Honours.

In Answer to your Message of the 14.<sup>th</sup> by the Samuel Chamberlain Esq.<sup>r</sup> We do agree to allow the late Governor for the Seal to five Special Commissions of Oyer and Terminer and Goal delivery to Cecil County and have accordingly inserted it but cannot consent to allow for the Seals to fifteen Proclamations relating to his Lordships Assent to the Inspection Law; the publication of his Lordships assent to our Laws was never yet thought needful for the Validity of them and we hope never will, therefore We think it highly unreasonable to Burthen the People for a Service so apparently unnecessary, The Attendance of the Council of State and the Salary to their Clerk We cannot think it Reasonable to make any Allowance for. The Service of that honourable Board is either relative to his Lordships Private affairs or to Matters of Government, in the first Case 'tis plain the People ought not to be burthened, and that they ought not in the latter will appear equally clear when it is considered that by many Acts of Assembly of this Province Fines & Forfeitures are Given to his Lordship the Lord Proprietary for Support of Government and that the Sum of Twelve pence p hogshead on all Tobacco Exported out of this Province is collected and paid to his Lordship under an Act expressly giving it for Support of Government; and although we are of Opinion that Act is not now in Force

yet We think it beyond doubt that when any duty is collected it ought to be Applied to the Purposes for which it was given; for these Reasons and others which might be used We cannot agree to burthen the People with these Allowances; and We cannot but Express our Hopes that the same good Disposition which Your Honours have Shewn throughout this Session will prevail with You to weigh and consider this Matter with attention, and that you will look on the Service of that honourable Board in the Same light that We do and that to prevent the great Inconveniencies arising from an Increase of the Public debt and that the legal Creditors may Receive their Several Claims, you will pass the Journal as is now Stands

U. H. J.  
Liber No. 34  
November 16

Signed p Order M Macnemara Ct Lo H.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

The following Message is Sent to the Lower house with the Journal of Accounts by Richard Lee Esq.<sup>r</sup>

By the Upper house of Assembly 16 November 1753.

Gentlemen

In answer to your Message of this day We observe that you Say "We agree to allow the late Governor for the Seal of five Special Commissions of Oyer and Terminer and Goal delivery, to Cecil County, but cannot Consent to allow the Seals of fifteen Proclamations relating to his Lordships assent to the Inspection Law" and the Reason you give is, because it was never yet thought needful for the Validity of them, without entering into any Discussion with you on that Point We say that the issuing those Proclamations at that time was necessary to Satisfie the minds of the People who had been made to believe that the Inspection Law was or would be dissented to and as this was a special Case which may never probably happen again We hope you will agree to allow the same.

As to the Allowance for the Council of State and their Clerk, We refer you to the proceedings in the debates thereupon entered in your own Journals and particularly to the Journals of the year 1736 in which there are Messages between the two houses in the following words viz.<sup>t</sup>

By the Upper house of Assembly 5 May 1736.

Gentlemen

The refusal of the Councillors allowance has occasioned so much unnecessary Expence to the Country that We assure you of our Resolution never to agree to the Journals unless you will be pleased to Consent to what is Strictly regular with Regard to those Allowances

Signed p Order John Ross Ct Up H.

U. H. J.  
Liber No. 34  
November 16

By the Lower house of Assembly 5 May 1736.

May it Please your Honours

p. 471 To avoid any further unnecessary Expence to the Country We are content to allow your Honours as a Council of State from the laying the last publick levy but cannot agree to allow anything heretofore denied by our house, and if your honours agree to what we herein propose desire that you'll lett the Claims of the Several Members be sent us in order to be incerted in the Journal of Accounts .

Signed p Order M Macnemara Ct. Lo H.

By the Upper house of Assembly 5 May 1736

Gentlemen

Nothing can give this house greater Pleasure than an Endeavour for and appearance of Harmony and good Agreement between the two Houses in the Light We received your Message of this day by Mess.<sup>rs</sup> Hooper and Ward which convinces us of your real Intentions of Serving the Country without burthening it with large charges by unnecessary disputes as on the other hand We have the greatest Satisfaction in being assured that the Claims of the Councillors of State will not meet with any Opposition hereafter so on the other hand We do Assure you Gentlemen of no less Joy on our part, that We shall not Charge the Country with any Claims Since the Time of laying the last publick levy to this Session

Signed p Order John Ross Ct Up H.

By the Lower house of Assembly 5 May 1736.

May it please Your Honours

This Message Sent to your Honours from this house by Co<sup>t</sup> Hooper and Co<sup>t</sup> Ward could not possibly be more agreeable to you than your answer to it, is to this house, and as the putting so Happy an End to all disputes concerning the Councillors Allowance as proposed in your last Message must contribute to keep up that Harmony between the two houses which is so absolutely necessary to dispatch the Public Business so it cannot but be very advantageous to the People as it will certainly prevent the charge which would unavoidably attend unnecessary disputes and therefore this house Concurs with what your Honours. propose, and We now Send the Journals desiring your Concurrence thereto.

Signed p Order M Macnemara Ct Lo H.

Upon Consideration of which and the Solemn Assurance given by the then Lower house in their Messages We hope you will not at this time renew a debate on a point so Settled; but for the Ease of the People & publick Creditors who must Otherwise be very great



Sufferers, Agree to our Amendments and pass the Journall accordingly

U. H. J.  
Liber No. 34  
November 16

Signed p Order John Ross Cl Up H.

Read the Second time the Bill Entituled a Supplementary Act to the Act Entituled an Act for the Relief of Creditors in England against Bankrupts who have imported any Goods into this Province not accounted for, and will pass with the following Amendments, between the words, executed, and, shall, in 13 Line of the first Page put the following words, or his or their Agent or Agents, Attorney or Attorneys in fact or such other Person or Persons who shall Act by Commission or direction from him or them after the Word, Province, in the last line but one in the same Page insert the following words, so far forth as the Goods Chattels Effects Debts Lands Tenements or Hereditaments shall come to the hands or Possession of such Agent or Agents Attorney or Attorneys or other Person or Persons Acting by Commission or direction as af.<sup>d</sup>—The Bill entituled an Act to enable the Justices of Frederick County for the time being to levy on the Taxable Inhabitants of the said County a Sum of Money for the uses therein mentioned, and will Pass Sent to the Lower house by Co<sup>t</sup> Tasker. p. 472

Read the second time the Bill Entituled an Act to disable Persons Transported into this Province for being concerned in Rebellion against the King from Voting for Delegates to Serve in assembly and for other Purposes therein mentioned—and the Bill entituled an Act for granting fees to the Several Justices of the County Courts within this Province and will not pass Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 17 November 1753.

November 17

This house met again according to Adjournment

Present as Yesterday Except Richard Lee Esq.<sup>r</sup>

Ordered that the Clerk of this house Receive the same fees on all private Bills passed this Session as are allowed by the Lower house to their Clerk

A Message from the Lower house by Mess.<sup>rs</sup> Crabb & Hawkins

By the Lower house of Assembly 17 November 1753

May it Please your Honours.

In answer to your Honours Message of the 31.<sup>st</sup> of October by M.<sup>r</sup> Chamberlain in Relation to the License Money and Fines arising from the Hawkers and Pedlers Bill and all other fines being the undoubted Right of the Lord Proprietary, We can in no wise agree

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with you, for altho all fines go to the King for this Reason that the Courts of Justice are Supported at his Charge for the Protection of his People, the People of Maryland and not his Lordship Support the Courts of Justice by an assessment and Charge on themselves and what fines are already transferred to, or given the Lord Proprietary are and have been applied to the private use of the Lord Proprietaries and not for the Support of the Courts of Justice or of the Government in any way that is known to this house, and although the Late Lord Proprietary has yearly taken and Received from the Trade and People of this Province very great Sums yearly for Support of Government, We know of no application of more than what is paid to the Governor for the time being so that the rest is put to a private use and not for Support of Government.

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And We think it very hard that his Majestys Subjects of Maryland alone should be deprived of the Power of raising Money to be applied to such purposes as may be of General Service to them and we are appressive that such Refusal may withdraw the affection of the People from his Lordships Government, which from good offices from those presiding ought to be promoted, but as We expect this Session is drawing to a Conclusion We shall not again Send up that Bill, but hope at another time your honours will agree to what we have proposed in Relation thereto.

Signed 7p Order M Macnemara Cl Lo H.

Three Bills from the Lower house by Mess.<sup>rs</sup> Hamilton & Bond The Bill entituled an Act continuing an Act entituled an Additional Supplementary Act to the Act entituled an Act for laying out & erecting a Town at a place called Long Point on the West Side of North East River in Cecil County, The Bill entituled an Act to enable the Persons therein Named to levy assess and apply the Money therein mentioned. The Bill entituled an Act empowering the Justices of Prince Georges County to levy on the taxable Inhabitants of the said County a Sum not Exceeding three thousand pounds of Tobacco for the uses therein mentioned; Severally thus Endorsed

By the Lower house of Assembly 17 November 1753.

Read the first & Second time by an especial Order & will pass

Signed 7p Order M Macnemara Cl Lo H.

Read the first and Second time by an Especial Order in this house & will pass Sent to the Lower house by Col Hammond.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Eight Engrossed Bills from the Lower house by Mess.<sup>rs</sup> Harrison and Rasin viz.<sup>t</sup> The Bill entituled an Act continuing an Act entituled

an Additional Supplementary Act to the Act entituled an Act for laying out and erecting a Town at a Place called Long Point on the West Side of North East River in Cecill County—The Bill entituled an Act to enable the Persons therein Named to levy assess and Apply the Money therein mentioned—The Bill entituled an Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants a Sum not exceeding three thousand pounds of Tobacco for the uses therein mentioned—The Bill entituled an Act to enable the Justices of Frederick County for the time being to levy on the Taxable Inhabitants of said County a Sum of Money for the uses therein mentioned—The Bill entituled a Supplementary Act to the Act entituled an Act empowering the Justices of Baltimore County Court to Assess and levy a Sum of Current Money & for other purposes therein mentioned, The Bill Entituled a Supplementary Act to an Act entituled an Act to aid the Title of Purchasers of Lots in Princess Ann Town in Somerset County—The Bill Entituled an Act for the Relief of Daniel Hull a languishing Prisoner in Talbot County Goal—The Bill Entituled an Act for the Relief of John Subbard a languishing Prisoner in Kent County Goal; Severally thus Subscribed

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17 November 1753.

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house and Ordered to be so Subscribed

Three Engrossed Bills from the Lower house by Mess.<sup>rs</sup> Falconar & Chapline viz<sup>t</sup> The Bill Entituled a Supplementary Act to the Act Entituled an Act for the Relief of Creditors in England against Bankrupts, who have imported any goods into this Province not accounted for, The Bill Entituled an Act for Securing and Recovering the Money therein mentioned—and the Bill entituled an Additional Supplementary Act to the Act entituled an Act for emitting and making Current Ninety Thousand pounds Current Money of Maryland in Bills of Credit, Severally thus Subscribed

17 November 1753

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house & Ordered to be so Subscribed An Engrossed Bill from the Lower house by Mess.<sup>rs</sup> Gray and Gassaway Entituled an Act for the Speedy and Effectual publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis printer thus Subscribed

U. H. J.  
Liber No. 34  
November 17

17 November 1753

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and Assented to by this house and Ordered to be so Subscribed

The Several paper Bills the Originals of which has passed this House this Session are Sent to the Lower house by Cof Tasker

The following Message is sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

By the Upper house of Assembly 17 November 1753  
Gentlemen

Your Message of this day, in answer to Ours of the 31.<sup>st</sup> of October being We think of a very Extraordinary Nature, We shall make some Short Remarks thereon and leave them with you, for your further Consideration, if you think fit at another Session, and in  
p. 475  
so Positively asserted that all Fines go to the King for this Reason that the Courts of Justice are Supported at his Charge, for the Protection of his People, if you intend thereby to assert that the Courts of Justice are Supported by the fines to the King, we may Venture to Say You are Mistaken, and again we should be willing to know, whether you think the applying the Fines to the Proprietary is depriving his Majestys Subjects of Maryland of the Power of Raising Money, to such Purposes as may be of General Service to them; as for the other Parts of your answer, We shall take no notice thereof at present as the Session has continued already too long and we are in hopes is near a Conclusion

Signed p Order John Ross Ct Up H.

Doctor Carroll and five others from the Lower house acquaint his Excellency that their House has no Business before them

Cof George Plater is Sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower House in the Upper house to See the Laws passed both Houses this Session receive the assent,

The Lower House Attend and by their Speaker present to his Excellency the following Bills viz<sup>t</sup>

An Act for the Tryall of all matters of Fact in the Several Counties where they have arisen or shall arise

An Act for the Advancement of Justice.

An Act continuing an Act entituled an Act for the Gauge of Barrels for Pork Beef Pitch Tar Turpentine and Tare of Barrels for flour or Bread.

An Act continuing an Act Entituled an Act to remedy Some Evils relating to Servants.

An Act continuing an Act Entituled an Act to prevent the ill Practices of Sheriffs in the Collecting & payment of the publick & County Levies. U. H. J.  
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An Act continuing an Act Entituled a Supplementary Act to the Act Entituled an Act ascertaining the height of Fences to prevent the Evil occasioned by the Multitude of Horses and Restraining Horse Rangers within this Province and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses Mares & Colts that run in the Woods.

An Act continuing an Act Entituled an Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and for continuing the Supplementary Act thereto

An Act to prevent Masters of Ships and Vessels from clandestinely Carrying Servants and Slaves or Persons Indebted out of this Province.

An Act to prevent Persons from Secreting Flats Boats or Vessels p. 476  
drove by Stress of Weather or otherwise from Landings or Moorings.

An Act for the Relief of Thomas Barkley a languishing Prisoner in Kent County Goal.

A Supplementary Act to the Act Entituled an Act to enable the Justices of Charles County to Levy a Sum of Tobacco on the Taxable Inhabitants of Port Tobacco Parish in the said County for the purposes therein mentioned

An Act for the Speedy Recovery of Small Debts out of Court before one Justice of the Peace.

An Act to empower the Several Courts within this Province to Order Commissions for the Examination of Witnesses residing beyond Sea and for the more Easy foreclosure of Mortgages.

An Act empowering the Incumbent and Vestrymen of S.<sup>t</sup> Michaels Parish in Talbot County and James Tilghman of the said County and Ann his Wife to make an Exchange of certain Lands therein mentioned.

An Act for Repairing the Public Roads in this Province

An Act for regulating Judicial Proceedings

An Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of S.<sup>t</sup> Pauls Parish in the said County a Sum of Current Money for the uses therein mentioned

An Act to enable the Parishioners of part of S.<sup>t</sup> Andrews Parish in S.<sup>t</sup> Marys County to Choose Vestrymen and Churchwardens and to enable the Visitors of the County School to choose Visitors.

An Act to empower the Commissioners of Baltimore Town to make an Addition thereto of thirty two acres of Land or thereabouts to be laid out into lots.

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An Act for Raising a duty of three halfpence Sterling p Hogshead. on all Tobacco Exported out of this Province for the use of the Governor.

An Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees.

An Act to cut off the Entail of a Tract of Land called Charley now lying in Charles and Prince Georges Counties and to Entail Lands of equal Value in lieu thereof

An Act to Repeal an Act entituled an Act for the Confirmation of the Lands therein mentioned to Richard Bennett Esq.<sup>r</sup>

An Act for the Vesting and Settling an Estate of Inheritance in fee Simple of and in a Certain parcell or Lott of Ground in the City of Annapolis Containing one hundred and Twenty feet in Length formerly by an Act of Assembly of this Province Confirmed to Robert Gordon of the City of Annapolis Merchant on Horatio Samuel Middleton & his Heirs for Ever

A Supplementary and Explanatory Act to an Act Entituled an Act for the more Effectual punishment of Negroes and Other Slaves & for taking away the Benefit of Clergy from Certain Offenders, and a Supplementary Act to an Act entituled an Act to prevent the Tumultuous Meetings & Other Irregularities of Negroes & Other Slaves.

p. 477 An Act to prevent injuring the Navagation to Baltimore Town and to the Inspecting house at Elk Ridge Landing on Patapsco River

An Act continuing an Act entituled an Additional Supplementary Act to the Act entituled an Act for laying out and erecting a Town at a Place called Long Point on the West Side of North East River in Cecil County

An Act to enable the Persons therein Named to levy assess and Apply the Money therein mentioned

An Act empowering the Justices of Prince Georges County to Levy on the Taxable Inhabitants of the said County a Sum not exceeding Three thousand pounds of Tobacco for the uses therein mentioned

An Act to enable the Justices of Frederick County for the time being to levy on the Taxable Inhabitants of said County a Sum of Money for the uses therein mentioned

A Supplementary Act to the Act entituled an Act empowering the Justices of Baltimore County Court to assess and levy a Sum of Current Money and for other purposes therein mentioned

A Supplementary Act to an Act entituled an Act to Aid the Title of Purchasers of Lots in Princess Ann Town in Somerset County.

An Act for the Relief of Daniel Hull a languishing Prisoner in Talbot County Goal.

An Act for the Relief of John Subbard a Languishing Prisoner, in Kent County Goal

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A Supplementary Act to the Act entitled an Act for the Relief of Creditors in England against Bankrupts who have Imported any Goods into this Province not Accounted for.

An Act for Recovering the Money therein mentioned.

An Additional Supplementary Act to the Act entitled an Act for emitting and making Current Ninety thousand pounds Current Money of Maryland in Bills of Credit

An Act for the Speedy and Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer

All which his Excellency passed into Laws in the usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms and Signing them on behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law. The Bill Entituled an Act for the Adjournment & Continuance of Talbot County Court being passed into a Law before.

After which his Excellency was pleased to Conclude this Session with the following Speech.

Gentlemen of the Upper & Lower Houses of Assembly

I cannot but take the Occasion, before we conclude this Session to Return you thanks for the Hopes you have given me of an Easy Administration, by Your General behaviour during this long Assembly as well as the particular Regard you have Shewn to myself: Indeed the Harmony which Seemed to Subsist between your two houses induced me to think every Thing would be amicably concluded in Respect to the Journal and the Time will not permit you to put the last Hand to that Affair at present yet I hope the Satisfaction and Content of your Constituents will Induce you at your next meeting to remove every Occasion of dispute between the Several Branches of the Legislature, Your Disposition which Appears in your yesterdays Address to lend your utmost assistance to the neighbouring Colonies in case of an Attack gives me great Satisfaction and I am persuaded you will lay no farther Stress on those objections to the Revival of the Law for Arms which have been so fully Answered by my Predecessors

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As the welfare of the Province have been your Sole Care here, I doubt not but your Influence in the Several Counties will contribute to the same which I again assure you, no one can be more truly concerned for than myself.

Gentlemen

I have with the Advice of his Lordships Council of State thought fit to prorogue this Assembly to the Second Tuesday in February

U. H. J. next and you are to take Notice you are prorogued to that day  
 Liber No. 34 accordingly.  
 November 17

Thus Ends this Session of Assembly begun and held at the City of Annapolis on Tuesday the Second Day of October and Ending on Saturday the 17.<sup>th</sup> Day of November following in third year of his Lordships Dominion and in the 27th year of his Majestys Reign Annoque Domini 1753.

To the Right Honourable the Lord Proprietary of the Province of Maryland.

The Humble Address of the Upper house of Assembly.  
 May It please Your Lordship.

We return you our hearty Thanks for the Speech you was pleased to transmit to both houses of Assembly at the Opening of this Session and beg Leave to congratulate your Lordship as well on your late Illustrious Alliance as on your Succession to the Government of this Province. The great Example of your Noble Ancestors and the generous Motives which influenced them in their Conduct for the Establishment of the Province of Maryland and promoting and improving the Welfare and Happiness of the People of it, We have  
 p. 479 great Reason to hope will continue to influence your Lordship and we take it as an Earnest of your Lordships care and Regard for them that you have appointed his Excellency Horatio Sharpe Esq.<sup>r</sup> to be our Governor, a Gentleman, whose Behaviour during the Short Time he has been amongst us, gives us the pleasing Prospect of his contributing everything in his Power toward the General good and Benefit of this Province

And We assure your Lordship of our best Endeavours to Support your Lordships Government and to embrace every opportunity to manifest our Duty to your Lordship by all Suitable Returns of Gratitude for the Kindness you have expressed, and that you will endeavour to Support your Lordships just Rights and Properties and concur in every proper Measure for the Increase & Prosperity of this Province.

Benj.<sup>a</sup> Tasker Presid.<sup>t</sup>  
 J Ross Cl Up H



# PROCEEDINGS OF THE LOWER HOUSE OF ASSEMBLY

At a Session of Assembly held at the City of Annapolis, on Tuesday the Second Day of October, Anno Domini 1753, and in the Third Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. His Excellency Horatio Sharpe, Esq; being Governor, the following Delegates appeared in the Lower House of Assembly; viz.

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The Honourable Philip Hammond, Esq; Speaker;

For St. Mary's County,

Mr. Zachariah Bond,  
Major Abraham Barnes.

For Dorchester County,

Col. Henry Hooper.

For Baltimore County,

For Kent County,  
Capt. Alex Williamson,  
Mr. Richard Gresham.

Mr. William Govane,  
Mr. Thomas Franklin,  
Mr. Lloyd Buchanan.

For Anne Arundel County,

Dr. Charles Carroll,  
Major Henry Hall.

For Prince George's County,

Capt. John Addison,  
Mr. William Murdock

For Calvert County,

Mr. James John Mackall,  
Mr. Benjamin Mackall,  
Mr. Thomas Reynolds,  
Mr. Edward Gantt.

For the City of Annapolis,  
Mr. Walter Dulany.

For Queen Anne's County,

Capt. William Hopper,  
Mr. Thomas Wilkinson,  
Mr. James Hollyday.

For Charles County,

Capt. Arthur Lee,  
Mr. Bayne Smallwood,  
Mr. John Stoddert,  
Col. Richard Harrison.

For Worcester County,

Major John Purnell,  
Capt. John Evans,  
Col. John Scarborough.

For Talbot County,

Mr. John Goldsborough,  
Mr. Matthew Tilghman,  
Mr. Pollard Edmonson,  
Mr. Edward Oldham.

For Frederick County,

Daniel Dulany, Esq;  
Capt. Henry Wright Crabb,  
Mr. Joseph Chapline,  
Mr. Nathan Magruder.

L. H. J. A sufficient Number of Delegates to compose the Lower House of  
 Liber No. 47 Assembly being convened at the Stadt-House, Ordered, That Major  
 October 2 Barnes and Mr. Tilghman do acquaint his Excellency therewith.

George Plater, Esq; and Col. Hammond, from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House of Assembly in the Upper House.

Mr. Speaker left the Chair, and attended by the Members of the Lower House went to the Upper House; where his Excellency  
 p. 258 acquainted the Gentlemen of the Upper and Lower Houses of Assembly, That the Lord Proprietary had transmitted by him, a Speech to both Houses of Assembly, which, by his Excellency's Directions, was read by the Clerk of the Council, and was as followeth, viz.

F. Baltimore.

Gentlemen of the Upper and Lower Houses of Assembly,

The Care of this Province now descending to me, as Lord and Proprietary thereof, I think it will not be less agreeable to you, than satisfactory to myself, to assure you, that I shall always follow the good Examples of those my Ancestors, who first enterprized, established, promoted and improved the Province of Maryland: Their great and generous Motives, their constant Regard and Attention to your Interest and Prosperity, their Love and Diligence, and the Effects of it in the Increase of your Numbers, and the Extent of your Commerce, will ever animate and influence me to discharge my Duty to you, and my own Descendents, in such Manner, that the posterity of both may not think less favourably of me, than of my Ancestors. And I trust it will be esteemed one Proof of my Care, that I have, with his Majesty's most gracious Approbation, named and constituted Mr. Horatio Sharpe, to be my Lieutenant General and Governor in Chief of the Province of Maryland; a Gentleman whose Loyalty and Attachment to our happy Establishment, is certain, and from whose Integrity, Honour and Abilities, I have great Reason to expect all that the Importance of so great a Trust, which I have reposed in him, for the public Good and general Benefit of this Province, may require.

Gentlemen of both Houses,

With all Duty and Allegiance to my Sovereign, I shall always most sincerely desire to co operate and join with you, in preserving the Government, both in Church and State, as by Law established: And shall embrace every Occasion, wherein I may testify, the real Love and Esteem I have for you, which I hope will be sufficiently shewn by the Care I shall always take of the Laws, Liberties and Properties of my good Tenants of the Province of Maryland. I cannot entertain the least Doubt that I shall ever fail of all suitable Returns from you, whose Justice and Regard for me, will, I am persuaded, induce you to do all in your Power in support of my just

Rights and Properties, as I shall always, on my Part, do in support of yours.

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After which his Excellency made the following Speech :

Gentlemen of the Upper and Lower Houses of Assembly

I have chosen this Opportunity of meeting you upon the last Prorogation, from an Opinion, That your Attendance here may be more suitable to your private Affairs at this, than at any other Season. I cannot but take Occasion, to congratulate you on the Lord Proprietary being arrived at an Age to take you under his more immediate Protection, and convince you, by his tender Care, that the affectionate Professions you have now heard from him, are the real Dictates of his generous Heart: And I must with Pleasure, acknowledge myself persuaded, from the short Acquaintance I have had amongst you, that you will not shew less Earnestness to maintain that Harmony, and mutual Good Will, on which alone the real Happiness and Prosperity of the Province can subsist.

Nothing can contribute so much to my own Happiness, as to see this Province flourish under my Administration; but as Mens different Conceptions, frequently, in Life, prevent their concurring in the Means to obtain the End they equally have in View, I will promise the less, and endeavour the more, that every Step I take, may conduce to the general Welfare.

As soon as his Lordship's Commission made Maryland an Object of my Attention, and his Commands pointed me out a Way of shewing my Zeal in it's Service, by procuring a Replacement of the Arms supplied from the Provincial Armory, for the Canada Expedition, I lost no Time in making Application, and with such Success, that their Arrival may be expected soon after the Orders already issued for that Purpose, can be complied with.

Gentlemen,

Although the Principle of Self Preservation, and that universal Desire to increase the Riches of one's Country, seem to make every Recommendation on those Points unnecessary to it's Representatives, yet as several Omissions may happen through Multiplicity of Business, or other Accidents, I shall not be wanting on my Part, in reminding you, from Time to Time, of what may occur to my Thoughts, relative to those important Subjects, so worthy of your Regard.

Mr. Speaker (attended by the Members) returned to the Lower House, and re-assumed the Chair.

The Lord Proprietary's Speech was read and ordered to lie on the Table.

The Governor's Speech was read and ordered to lie on the Table.

The House appointed George Johnson as Serjeant at Arms, to attend Mr. Speaker and the Lower House of Assembly, in the room of Mr. Thomas King, deceased. p. 260

L. H. J. The House appointed Richard Goldsmith as Door-keeper to the  
 Liber No. 47 Lower House of Assembly, in the room of Mr. Thomas Sparrow,  
 October 2 deceased.

Ordered, That the Serjeant at Arms and the Door-keeper, do take the Oaths to the Government and Oath of Offices, before some Magistrate, who is to certify their having done so, under his Hand, which Certificate must be lodged with the Clerk of the House.

On motion, Ordered, That Mr. Speaker do issue his Warrant, to the Secretary of this Province, to make out a Writ of Election, directed to the Sheriff of Dorchester County, to elect Two Members, in the room of Mr. Ennalls Hooper (who hath removed from this Province) and Daniel Sulivane, who, since the last Election, hath accepted the Office of Sheriff of said County.

Also, a Writ of Election, directed to the Sheriff of Prince George's County, to elect a Member in the room of Mr. Turnor Wootton, who, since the last Election, hath accepted the Office of Sheriff of the said County.

Also, a Writ of Election, directed to the Sheriff of Anne Arundel County, to elect a Member in the room of Mr. Thomas Worthington, deceased.

Also, a Writ of Election, directed to the Mayor, Recorder and Aldermen, of the City of Annapolis, to elect a Delegate to serve in this Assembly, in the room of Capt. Robert Gordon, lately deceased.

And a Writ of Election, directed to the Sheriff of Baltimore County, to elect a Delegate to serve in this Assembly, in the room of Mr. Thomas Franklin, who, since the last Election, hath accepted the Office of Sheriff of the said County.

The House adjourns till the morrow Morning 9 of the Clock.

October 3

Wednesday Morning, October 3, 1753.

The House met according to Adjournment. Ordered, That the Committee of Laws do prepare an Address to his Excellency on his Speech.

Ordered, That Mr. John Stoddert and Mr. John Goldsborough, be added to the Committee of Accounts.

The following Certificates were lodged with the Clerk of the House, viz.

These are to Certify, That Mr. George Johnson hath this Day taken the several Oaths to the Government, and signed the Test. Given under my Hand this Third Day of October 1743.

John Bullen.

You George Johnson do swear, That you will faithfully, diligently and honestly Discharge the Office of Serjeant at Arms, to the Lower

House of Assembly, and that you shall not disclose or reveal the  
Secrets thereof.

L. H. J.  
Liber No. 47  
October 3

So help you God.

I Hereby Certify, That Mr. George Johnson came before me the  
Subscriber, and took the above Oath as Serjeant at Arms. October 2,  
1753.

p. 261

Thomas Jennings.

You Richard Goldsmith do swear, That you will faithfully, dili-  
gently and honestly Discharge the Office of Door keeper, to the  
Lower House of Assembly, and that you shall not disclose or reveal  
the Secrets thereof.

So help you God.

I Hereby Certify, That the above named Richard Goldsmith came  
before me the Subscriber, and took the Oath of Door keeper, to the  
Lower House of Assembly.

October 2, 1753.

Thomas Jennings.

I Do hereby Certify, That on the 3d Day of October, Anno  
Domini, 1753, Personally appeared, Richard Goldsmith, before me  
the Subscriber, one of his Lordship's the Right Honourable the Lord  
Proprietary's Justices of the Peace, for Anne Arundel County, and  
took the several Oaths to the Government, appointed to be taken  
by the Act of Assembly, and repeated the Test, and signed the Oath  
of Abjuration and Test.

Richard Dorsey.

Ordered, That Capt. Alexander Williamson be added to the Com-  
mittee of Elections and Privileges.

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem. The House met according to Adjournment.

Capt. Waggaman, Mr. Gillis, Mr. Handy, and Mr. George,  
appeared in the House.

Col. Hooper, from the Committee of Laws, acquaints Mr. Speaker,  
that that Committee had made choice of Mr. Thomas Johnson as  
Clerk, the House approves the Choice. Ordered, That he do qualify  
as Clerk to the Committee of Laws in the usual Manner.

The following Certificate was produced to the Clerk of the House,  
viz.

I Hereby Certify, That Thomas Johnson, junr. this Day personally  
appeared before me the Subscriber, one of his Lordship's Justices of  
Anne-Arundel County-Court, and took the several Oaths to the  
Government, made, repeated and subscribed the Oath of Abjuration  
and Test; and also took the following Oath, to wit.

You Thomas Johnson do swear. That as Clerk to the Committee  
of Laws, you shall true Entries make of all such Matters and Things  
as by that Committee, for the Time being, shall be to you directed.

L. H. J. the Secrets of the said Committee you shall not divulge, to the  
 Liber No. 47 Prejudice of the said Committee, or any Member thereof, but shall  
 October 3 in all Things, as Clerk to the said Committee, well and truly demean  
 p. 262 yourself according to the best of your Knowledge. So help you God.  
 Certified the Third Day of October, 1753, by

Thomas Jennings.

The House adjourns till Tomorrow Morning at 9 of the Clock.

October 4

Thursday Morning, October 4, 1753.

The House met according to Adjournment.

Capt. Earle, Mr. Hyland, Mr. Rasin, and Mr. Goldsborough, appeared in the House.

On motion, Leave given to bring in the following Bills, viz.

A Bill, to continue an Act, To prevent the ill Practices of Sheriffs, in the Collection and Payment of the Public and County Levies.

A Bill, to continue an Act, For relieving the Inhabitants of this Province from some Grievances in the Prosecution of Suits at Law.

A Bill, to continue an Act, For the Advancement of Justice.

A Bill, to continue an Act, To remedy some Evils relating to Servants.

A Bill, to continue an Act, Ascertaining the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine; and Tare of Barrels for Flour and Bread.

An additional Supplementary Bill to the Act for laying out and erecting a Town at a Place called Long-Point, on the West Side of North-East River, in Cæcil County.

A Supplementary Bill to the Act for ascertaining the Height of Fences.

A Bill, continuing an Act, intituled, An Act for the Speedy and effectual Publication of the Laws, &c.

Ordered, That the Committee of Laws do prepare and bring in said Bills.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency; which was read, approved, and ordered to be Ingrossed.

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment.

Major Ridgely appeared in the House.

Ordered, That Mr. W. Dulany do acquaint the Reverend Mr. Malcolm, to read Divine Service, during this Session, at 7 of the Clock in the Morning, and at 5 of the Clock Afternoon.

The following Ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander  
in Chief in and over the Province of Maryland.

L. H. J.  
Liber No. 47  
October 4

The humble Address of the House of Delegates.

May it please your Excellency,

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We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, beg Leave, at this our first Opportunity, to congratulate your Excellency, upon your Appointment to the Government of this Province, and safe Arrival amongst us, and at the same Time return you our sincere and hearty Thanks for your kind Speech, at the Opening of this Session, as well as for calling us together, at this moderate Season of the Year.

His Lordship's general Character, and affectionate Professions, give us great Hopes that his Lordship's Tenants, the good People of Maryland, will find him ever Careful of their Liberties, Privileges and Properties, and we make no Doubt of a suitable and grateful Return from them.

We cannot, without the highest Satisfaction, reflect upon your Excellency's Expressions of Regard towards the People of this Province, and from a due Sense and Conviction of our Duty, assure you, our most zealous Endeavors shall not be wanting, that your Excellency's good Intentions may produce the most happy Effects; and we flatter ourselves, as your Excellency has professed the Welfare of the Province to be the Object of your Attention and Care, and propos'd the Attainment of that End, for which we are intrusted by our Constituents, and to which all our Views shall be unalterably directed, such an Harmony and Concurrence will be preserved, as may effectually secure to your Excellency the exquisite Pleasure you wish for, of seeing a Free People flourish, under the happy Influence of your Administration.

We look on the Zeal you used, in procuring the Replacement of the Arms supplied from the Provincial Armory, for the Canada Expedition, as an Instance of your kind and good Will towards us; for which we return our Thanks.

The good of our Fellow Subjects, and promoting the Riches and Happiness of this our Country, being the chief Points we have in View, we shall thankfully receive from your Excellency, any Thoughts that you will please to communicate to us, relative to those important Purposes.

Was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. D. Dulany and Mr. C. Goldsborough, do acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when, and where, he will please to receive

L. H. J. it: They return and acquaint Mr. Speaker, the Governor signified he  
 Liber No. 47 would receive the Address immediately in Conference Chamber.  
 October 4

Ordered, That Col. Hooper, and Twelve more, do present the Address to his Excellency.

On motion, Leave given to bring in a Bill, To issue Writs of Replevin out of the County Court Offices: Ordered, That the Committee of Laws do prepare and bring in the same.

p. 264 On motion, Leave given to bring in a Bill, To Licence Hawkers and Pedlars: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given to bring in a Bill, For the Recovery of small Debts out of Court before one Justice of the Peace: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till the morrow Morning 9 o'Clock.

October 5

Friday Morning, October 5, 1753.

The House met according to Adjournment: The Members were called and all appeared as Yesterday. The Proceedings were read.

On motion, Leave given, to bring in a Bill, To impower the Justices of the several County Court, to take Cognizance of Causes chancerized before them for any Sum not exceeding 20 l. Sterling, or 2500 lb. of Tobacco: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Post-Meridiem.

The House met according to Adjournment.

The House adjourns till the morrow Morning 9 of the Clock.

October 6

Saturday Morning, October 6, 1753.

The House met according to Adjournment, &c.

The Governor communicates to Mr. Speaker the following Answer, to the Address of this House, viz.

Gentlemen of the Lower House of Assembly,

Your kind Address, and the obliging Manner in which you express yourselves, on my Appointment to, and Arrival in, this Government, as well as on your being Assembled at this Season, give me great Pleasure. From the Knowledge I have of his Lordship, I am confident, he has nothing more at Heart than the Well-Being of his Tenants, and that it will be his Study to maintain their just Rights, equally with his own.



I flatter myself with Hopes of satisfying you, that my Expressions of Regard towards the People of this Province, are sincere: And I rejoice to see a Disposition in you to preserve that Harmony which you are well assured it is your Interest as well as Duty to establish.

L. H. J.  
Liber No. 47  
October 6

I thank for your Promises to contribute all in your Power to render my Administration happy and agreeable; and I receive the greatest Satisfaction from your Readiness and Cheerfulness to receive and take under Consideration, whatever the Duty of my Station may require me at any Time to recommend.

p. 265

Hor.<sup>o</sup> Sharpe.

On motion, Leave given to bring in a Bill, To impower the Justices of the Provincial and County Courts, to direct their several Clerks, to make out Commissions to examine Witnesses, residing out of this Province, relative to Causes depending before them: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in, A Supplementary Bill to the Attachment Law. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given to bring in a Bill, For the more easy Discovery of Judgments, in the several Courts in this Province, and Bonds or Obligations, and Mortgages to the Commissioners of the Paper Office: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given to bring in a Bill, For the more easy Foreclosure of Mortgages: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, That a Bill be brought in, For amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in a Bill, For the Trial of all Matters of Fact, in the several Counties where they have arisen, or shall arise: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, That a Committee be appointed, To enquire from the several Officers, their Deputies, Registers, or Clerks, the Amount of the Fees that have accrued due to them, in their several Offices, for seven or eight Years last past, and that a Report thereof be made to the House: Resolved, That Doctor Carroll, Capt. Hopper, Mr. Handy, Mr. Fraser and Mr. Earle, be a Committee for that Purpose.

On motion, Leave given, to bring in a Bill, To reduce the Allowances of the Members of the Upper and Lower Houses of Assembly: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J. On motion, Leave given, to bring in a Bill, To direct the Recording  
 Liber No. 47 of all Conveyances hereafter: Ordered, That the Committee of Laws  
 October 6 do prepare and bring in a Bill accordingly.

The house adjourns till Monday Morning 9 of the Clock.

October 8 Monday Morning, October 8, 1753.

p. 266 The House met according to Adjournment, &c. all appeared as on  
 Saturday, except Mr. Oldham, Mr. Magruder, and Mr. Reynolds.

The House adjourns till the morrow Morning 9 of the Clock.

October 9 Tuesday Morning, October 9, 1753.

The House met according to Adjournment, &c.

Mr. Magruder, Mr. Pearce, and Mr. Tillotson, appeared in the House.

Col. Hooper from the Committee of Grievances, delivers to Mr. Speaker the following Report; viz.

By the Committee of Grievances, and Courts of Justice, October 6, 1753.

On Complaint made to your Committee, by Mr. Roger Hooper, of Dorchester County, against Thomas Muir, Receiver of his Lordship's Quit-Rents there, it appears as follows; viz.

That Henry Hooper, of Dorchester County, Gentleman, deceased, made his last Will and Testament, bearing Date the 20th Day of March 1720, and among other Matters therein, devised unto his two Sons, Thomas and John Hooper, in Tail, the Lower Part of Hooper's Island, bounded on the West, with Chesapeak Bay, and on the South, with Hooper's Streights, and on the East, with Hunger River, and on the North, with Thoroughfare Creek; to be equally divided between them; which, upon Examination, your Committee find to contain 574 Acres: And the said Henry Hooper, by the said Will, devised the Remainder of the said Hooper's Island, to his Son Roger Hooper, in Tail, which Part we find to be 1766 Acres; the whole Tract, called Hooper's Island, containing 2340 Acres, as by the Patent thereof, bearing Date the 15th Day of July 1738, granted to Roger, Thomas, and John Hooper, appears.

Your Committee likewise find, that the said Henry Hooper, in his Life Time, made a Resurvey of sundry Tracts of Land, which composed the said Hooper's Island, the Certificate of which and on which the above Patent is founded, bears Date the 2d Day of October 1714, which lay in the Land Office unpatented for some Time after, when the Widow and Executrix paid his Lordship's Agent all the Requisites, whereupon the said Patent issued.

Your Committee likewise find, that the Rents of all the Original Tracts were regularly and duly paid, to the 29th Day of September 1738. L. H. J.  
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October 9

Your Committee also find, that Roger Hooper paid, unto Thomas Muir Receiver of the Quit Rents for Dorchester County, from the 29th Day of September 1738, to the 29th of September 1752, the Sum of 40 l. 13 s. 11 d. Sterling, at sundry Times, as appears by the Account of said Muir; and that the Rents arising due from said Roger Hooper, for his Part of Hooper's Island, from the 15th of July 1738, to the 29th of September 1752, amounted to 40 l. 15 s. 10 d. and for Part of a Tract of Land, called Project, in said County, devised to him by Matthew Travers, from the 29th of September 1740, to the 29th of September 1752, 50 Acres, 1 l. 4 s. Sterling, as appears by an Account hereunto annexed, whereby there remained a Ballance of 1 l. 5 s. 11 d. only, due to the said Thomas Muir as Receiver aforesaid. p. 267

Your Committee further find, that the said Thomas Muir, on the 11th Day of January 1753, caused Daniel Sulivane, Sheriff of the said County, to distrain upon the said Roger Hooper, two Negroes for the Sum of 35 l. 5 s. and 6 d. Sterling, and that the said Hooper, to prevent the Loss of his Negroes, was obliged to enter into a Bond to the said Sulivane, with a Surety in the Penalty of 100 l. Sterling, conditioned as follows, viz.

“ The Condition of the above Obligation is such, that if the above named Roger Hooper do and shall, satisfy and pay, unto Thomas Muir, Esq; the Sum of 35 l. 5 s. 6 d. Sterling Money of England, at or before the 18th Day of this Instant January, or bring forth to Cambridge, or Cause to be brought, on the said 18th Day of this Instant January, one Negro Woman called Moreah, one Negro Boy called Cuffy, being taken by Distress for his Lordship's Quit-Rents, then the above Obligation to be void, otherwise to stand in full Force and Virtue, in Law : ” as by the Bond hereunto annexed, may appear. That the giving such Bond, with so great a Penalty, so frightened the said Hooper, and his Surety, that he, to acquit himself thereof, was obliged to take up the Sterling Money, at the high Exchange of one Hundred per Cent, beside the Costs, amounting to 1 l. 10 s. 10 d. Sterling and 138 lbs. of Tobacco.

Your Committee humbly conceive, that the taking such Bond was Illegal, as also the said Charge of 1 l. 10 s. 10 d. Your Committee also find, that the said Thomas Muir, charged the said Hooper for Arrears of Rent in the Years 1714, and 1715, and that it is practised by other Receivers also, although it appears to your Committee, that at a Session of Assembly held April 26, in the Year 1715, an Act passed, declaring the Continuance of the Payment of the twelve Pence per Hogshead, from the Death of Charles Lord Baltimore, to the

L. H. J. 29th Day of September then next, vide Record Book of Laws, Page  
 Liber No. 47 129; and the same Session, an Act of Gauge and Tare was made,  
 October 9 Page 206; and that at a Session of Assembly, held the 17th Day of  
 p. 268 July 1716, an Act for Gauge and Tare was made, as appears in the  
 same Book, Page 302; in all which there is a Consideration to the  
 respective Lords Proprietors for Land Rents.

Your Committee humbly conceive, that there could be no Rent due upon the said Land called Hooper's Island, but from the Date of the Patent thereof; and that the said Thomas Muir his causing the said Roger Hooper to be distrained for the Sum aforesaid, was Illegal, Grievous and Oppressive, but is humbly submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

Which was read and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

The House met according to Adjournment.

A Petition of Alexander Hamilton, Doctor of Physic, complaining of an undue Return, made by the Aldermen of the City of Annapolis, was preferred to this House; upon reading thereof,

Ordered, That the Petitioner do give Notice to George Steuart, Esq; of this Petition having been preferred, and that this House will proceed to take the same into Consideration, at the Bar of this House on the morrow Morning, being the 10th Instant, and that Lists of the controverted Votes shall be mutually exchanged, between the said Alexander Hamilton and George Steuart, with the particular Objection which they intend to insist upon, set against the Name of each Person whose Vote they intend to dispute, and that such Lists shall be respectively confined to such Voters, as were objected to at the Time of their giving their respective Votes.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act for the Speedy Recovery of Small Debts out of Court before one Justice of the Peace; and a Bill, intituled, An Act for issuing Writs of Replevin out of the County Courts of this Province; and a Bill, intituled, An Act to License Hawkers and Pedlars.

Mr. Charles Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act continuing an Act intituled,  
 p. 269 An Act to prevent the ill Practices of Sheriffs in the Collecting and Payment of the Public and County Levies; and a Bill, intituled, An Act continuing an Act intituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels, for Flour, or Bread.

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act continuing an Act intituled, An Act to remedy some Evils relating to Servants. L. H. J.  
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October 9

Major Hall, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act continuing an Act intituled, A Supplementary Act to the Act intituled, An Act ascertaining the Height of Fences, to prevent the Evils occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to redress the great Evil accruing to this Province, by the Multiplicity of useless Horses, Mares and Colts, that run in the Woods.

All which Bills were severally read the first Time, and ordered to lie on the Table.

The House adjourns till the morrow Morning 9 of the Clock.

Wednesday Morning, October 10, 1753.

October 10

The House met according to Adjournment, &c.

A Petition of George Steuart, Esq; was preferred to this House, praying, that this House will grant him a longer Day (than was appointed by Order of the House on Yesterday), to appear to make his Defence to the Complaint of Doctor Alexander Hamilton, set forth in his Petition: Upon reading the said Petition, Ordered, That the Hearing on Doctor Alexander Hamilton's Petition be referred to Wednesday Morning next, being the 17th Instant; and Resolved, That the said Petition be then heard, at the Bar of this House.

The Bill, intituled, An Act for the Speedy Recovery of Small Debts out of Court, before one Justice of the Peace, was read the second Time, and passed, and was sent to the Upper House by Mr. Wagaman and Mr. Lee.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment.

Mr. Reynolds appeared in the House.

The Bill, intituled, An Act for issuing Writs of Replevin out of the County Courts, and the Bill, intituled, An Act to License Hawkers, Pedlars, and petty Chapmen, were severally read the second Time, and passed, and sent to the Upper House by Capt. Addison and Mr. Govane.

On motion, that a Bill be brought in, For repairing the Public Roads in this Province, Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. p. 270

On motion, Leave given, to bring in a Bill, To prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves.

L. H. J. or Persons indebted, out of this Province: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.  
 Liber No. 47  
 October 10

On motion, Leave given, to bring in a Bill, To prevent Persons from secreting Boats, Flats, and other Vessels, drove by Distress of Weather or otherwise, from Landings or Moorings: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in A Supplementary Bill to the Act for preventing the injuring of Harbours: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The following Message, viz.

By the Lower House of Assembly, October 10, 1753.

May it please your Honours,

This House hath appointed Major Barnes, Capt. Bond, Col. Harrison, Mr. W. Dulany, and Capt. Lee, a Committee to inspect the Accounts and Proceedings of the Commissioners, for emitting Bills of Credit, established by Act of Assembly; and desire your Honours to appoint one or more of your House, to join in the said Committee.

Signed per Order, M. Macnemara, Cl Lo. H.

Was sent to the Upper House by Major Barnes and Mr. Edmonson.

D. Dulany, Esq; from the Committee of Laws, delivers to Mr. Speaker, a Bill, intituled, An Act for reducing the Allowances of the Members of the Upper and Lower Houses of Assembly of this Province, and assessing the Public Levy; which was read the first Time, and ordered to lie on the Table.

The House adjourns till the morrow Morning 9 of the Clock.

October 11

Thursday Morning, October 11, 1753.

The House met according to Adjournment, &c.

The Petition of Thomas Catterall, referred last Session to the Consideration of the Lower House of Assembly, this Session, was now read: Ordered, That the said Petition be heard at the Bar of this House, on Friday fev'night next, and that all Parties concerned have due Notice thereof.

Ordered, That Mr. Gantt be added to the Committee appointed to inspect the Arms and Ammunition, and Accounts relating thereto.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

p. 271

The House met according to Adjournment.

On reading the Report made, and brought into the House, by Col. Hooper, from the Committee of Grievances, on Yesterday, relative

to Thomas Muir, Esq; late Receiver of his Lordship's Quit-Rents for Dorchester County, and the several Papers and Accounts annexed thereto, the House concurs therewith. Resolved, that this House will proceed to take the said Report into further Consideration, on next Thursday Afternoon, the 18th Instant. Ordered, That the said Thomas Muir have Notice thereof, and that he do attend at the Bar of this House on next Thursday Afternoon, the 18th Instant, to answer the Complaint in the said Report set forth; and that on his Application to the Clerk of this House, he have a Copy thereof, and such Summons's as he may require.

L. H. J.  
Liber No. 47  
October 11

The Bill, intituled, An Act continuing an Act intituled, An Act to prevent the ill Practices of Sheriffs, in the Collecting and Payment of the Public and County Levies;

The Bill, intituled, An Act continuing an Act intituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread;

The Bill, intituled, An Act continuing an Act intituled, An Act to remedy some Evils relating to Servants;

And the Bill, intituled, An Act continuing an Act intituled, A Supplementary Act to the Act intituled, An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse-Rangers within this Province, and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods;

Were severally read the second Time, and passed, and sent to the Upper House, by Mr. Stoddert and Col. Selby.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz.

By the Upper House of Assembly, October 11, 1753.  
Gentlemen,

This House hath appointed Richard Lee, Esq; to join the Members named by your House in a Committee, to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order, J. Ross, Cl. Up. Ho.

On motion that a Bill be brought in, To Restrain the Evils committed by Horse-Rangers, Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till the morrow Morning 9 of the Clock.

Friday Morning, October 12, 1753.

October 12

The House met according to Adjournment, &c.

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Mr. Earle and Mr. George have Leave to go home.

Mr. Key appeared in the House.

L. H. J.  
Liber No. 47  
October 12

Mr. C. Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act for the Trial of all Matters of Fact in the several Counties where they have arisen, or shall arise; which was read the first Time, and ordered to lie on the Table.

Mr. Tilghman, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report; viz.

By the Committee of Elections and Privileges, October 12, 1753.

Your Committee having inspected the Writ directed to the Mayor, Recorder and Aldermen of the City of Annapolis, for electing a Delegate to serve in this present General Assembly, do find, that George Steuart is returned, by the Aldermen aforesaid, as a Delegate for the said City, as by Return on the Writ aforesaid, and Indenture thereunto annexed, may appear; which Return is not signed by the Mayor.

That Alexander Hamilton is returned as a Delegate for the said City, as by an Indenture, and Return thereon, signed by the Mayor of the said City, may appear; which Return is not signed by the Aldermen.

That the said Returns are not signed by the Recorder of the said City.

Your Committee beg Leave to observe, that by the Indentures annex'd to the said Writ, the said George Steuart and Alexander Hamilton are impowered to advise, debate, act, do, and consent to all such Things as by common Consent shall happen to be ordained and enacted, to the Honour and Glory of GOD, the Service of his Majesty, his Lordship, and the Citizens of the City aforesaid: Whereby the Good and Welfare of the Province in general, appears to be excluded from the Care and Attention of the said Delegate; which your Committee find is not only different from the Writ aforesaid, but also, from former Indentures in such Cases made, and as they humbly conceive, disagreeable to the Charter of the said City, by which it is granted that Delegates returned for the said City, shall have full Power, and free Votes, in all and every of our General  
p. 273 Assemblies touching or concerning all Matters, or Things, there to be discoursed and handled, as other the Deputies or Delegates of the several and respective Counties formerly have had, now have, or hereafter may have.

Your Committee having also inspected the Writ directed to the Sheriff of Kent County, and Return thereon, for electing a Deputy and Delegate to serve in this General Assembly, do find, that Mr. Abraham Falconar is duly returned as a Delegate for Kent County aforesaid.

All which is submitted to the Consideration of your Honourable House.

Signed per Order, Benjamin Beall, Cl. Com.



A Representation of several Owners of Lots, in Chester-Town, in Kent County, praying Leave to bring in a Bill to oblige the several Owners of Lots in the said Town to pay 20 s. Current Money, to be appropriated to the purchase of a Fire Engine, &c. was read, and ordered to lie on the Table.

L. H. J.  
Liber No. 47  
October 12

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Inhabitants of Baltimore-Town, and other Inhabitants of Baltimore County; a Petition of the Rector, Vestrymen, Churchwardens and other Inhabitants of St. Paul's Parish, in Baltimore County; and a Petition of sundry the Inhabitants of Baltimore County, in Behalf of themselves and others, severally indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly."

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment.

Ordered, That the Clerk of the Provincial Court, do make out, to be laid before this House, Lists of all the Certificates of the Oaths taken by the several Officers, as directed by the Inspection Law.

The House adjourns till the morrow Morning 9 of the Clock.

Saturday Morning, October 13, 1753.

October 13

The House met according to Adjournment, &c. All the Members appeared as Yesterday, except Mr. Earle, and Mr. George.

The Petition of the Inhabitants of Baltimore-Town, and other Inhabitants of Baltimore County, praying Leave to bring in a Bill, To lay out thirty-two Acres of Land laying near the said Town, into Lots, was read, and Leave given to bring in a Bill according to Prayer.

The Bill, intituled, An Act for Tryal of all Matters of Fact, &c. was read the second Time, and passed, and sent to the Upper House by Mr. Waggaman and Mr. Gresham.

p. 274

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of the Rector, Vestrymen, and Churchwardens, and other Inhabitants of St. Paul's Parish, in Baltimore County; and the Petition of sundry Freeholders, and other Planters, Freemen and Inhabitants of Durham Parish, and Port-Tobacco Parish, in Charles County; severally Indorsed, "By the Upper House of Assembly, read and referred to the "Consideration of the Lower House of Assembly."

The House adjourns till Monday Morning 9 of the Clock.

L. H. J.  
Liber No. 47  
October 15

Monday Morning, October 15, 1753.

The House met according to Adjournment, &c. all appeared as on Saturday, except Mr. Rasin, Mr. Gresham, Mr. Reynolds, Mr. J. Goldsborough, Mr. Edmondson, Mr. Tilghman, Mr. Govane, Major Ridgely, Mr. Pearce, Capt. Addison, Mr. Murdock, Capt. Hopper, and Mr. Tillotson.

Col. Hooper, from the Committee of Laws, acquaints Mr. Speaker, that a Clerk Assistant, to the Clerk of that Committee, was wanting, for the Expediting the public Business, and that if the House thought proper to allow thereof, That Committee had made Choice of Mr. Stephen Bordley. junr. as such: The House approved the Choice, and ordered that the said Clerk be qualified by taking the Oaths to the Government and Oath of Office, in the usual Manner.

The following Certificate was lodged with the Clerk of the House, viz.

October 15, 1753.

Then came before me the Subscriber, one of his Lordship's Justices for Anne-Arundel County, Stephen Bordley, junr. who, being sworn on the Holy Evangels of Almighty God, took the Oaths to the Government, repeated and signed the Test, and Oath of Abjuration, and likewise the following Oath; to wit,

You Stephen Bordley, junr. do swear, That as Clerk Assistant, to  
p. 275 the Committee of Laws, you shall true Entries make of all such Matters and Things, as by that Committee for the Time being, shall be to you directed; the Secrets of the said Committee you shall not divulge, to the Prejudice of the said Committee, or any Member thereof, but shall in all Things, as Clerk Assistant to the said Committee, well and truly demean yourself, according to the best of your Knowledge. So help you God.

Thomas Jennings.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment.

Mr. Key, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act for repairing the public Roads in this Province; which was read the first Time, and ordered to lie on the Table.

Dr. Carroll, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted, out of this Province; which was read the first Time, and ordered to lie on the Table.

Mr. Charles Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act to prevent Persons from

secreting Flats, Boats and other Vessels, drove by Distress of Weather, or otherwise, from Landings or Moorings; which was read the first Time, and ordered to lie on the Table.

L. H. J.  
Liber No. 47  
October 15

The House adjourns till the morrow Morning 9 of the Clock.

Tuesday Morning, October 16, 1753.

October 16

The House met according to Adjournment, &c. Mr. Gresham, Mr. Tilghman, Capt. Hooper, Mr. Tillotson, Mr. Oldham, and Mr. Falconar, appeared this Day in the House.

On motion, Leave given, to bring in a Bill, To enable the Parishoners of Part of St. Andrew's Parish, in St. Mary's County, to choose Vestrymen, and Churchwardens: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in a Bill, To empower the present Visitors of St. Mary's County, to elect and choose a compleat Number of Visitors for the said County, in place of those deceased: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Ordered, That Dr. Alexander Hamilton and Dr. George Steuart, on their Applications to the Clerk of this House, have Summons's for such Witnesses as they may require to attend at the Bar of this House, on the morrow Morning at ten of the clock.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act to oblige Garnishees to discover Goods and Effects attached in their Hands, and for other Purposes therein mentioned.

And a Bill, intituled, An Act continuing an Act intituled, An Additional Supplementary Act to the Act intituled, An Act for laying out and erecting a Town at a Place called Long-Point, on the West Side of North-East River, in Cæcil County; which Bills were severally read the first Time, and ordered to lie on the Table.

The House adjourns till 4 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment.

Daniel Dulany, Esq; from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act to empower the several Courts within this Province, to order Commissions for the Examination of Witnesses residing beyond Sea, and for the more easy Foreclosure of Mortgages; which was read the first Time, and ordered to lie on the Table.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, A Supplementary Act to an Act intituled,

L. H. J. An Act to prevent the injuring Harbours within this Province, and  
 Liber No. 47 for repealing the Act therein mentioned; which was read the first  
 October 16 Time, and ordered to lie on the Table.

Mr. Charles Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill, intituled, An Act continuing an Act intituled, An Act for relieving the Inhabitants of this Province from some Aggrievances, in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto; which was read the first Time, and ordered to lie on the Table.

p. 277 The Bill intituled, An Act for reducing the Allowances of the Members of the Upper and Lower Houses of Assembly of this Province, and assessing the public Levy; was read the second Time and passed.

October 17

Wednesday Morning, October 17, 1753.

The House met according to Adjournments, &c.

Capt. Addison, Major Ridgely, Mr. George, Mr. Murdock, Mr. Earle, and Mr. Govane; appeared in the House.

On motion, Leave given, to bring in a Bill, For the better order and regulating the Clergymen within this Province: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

In Pursuance of the Order of the Day, the House proceeded to take into Consideration the Petition of Doctor Alexander Hamilton, and after an Examination of several Witnesses at the Bar; Ordered, That the same be taken into Consideration in the Afternoon.

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment.

The Bill intituled, An Act for amending the Roads, &c. was read and committed for Amendments.

Capt. John Gassaway, a Member returned to serve in this Assembly for Anne Arundel County, appeared in the House:

Ordered, That Doctor Carroll, and Major Hall, do go with Mr. Gassaway, to the Upper House, to see him qualified; They return and acquaint Mr. Speaker, they saw him take the Oaths to the Government, required by Law, subscribe the Oath of Abjuration, repeat and sign the Test.

The Gentleman took his Seat in the House.

The Petition of the Rector, Vestrymen, Churchwardens, and other Inhabitants of St. Paul's Parish, in Baltimore County, praying Leave to bring in a Bill, To impower the Justices of Baltimore County aforesaid, to levy on the Taxable Inhabitants of the said Parish, the

Sum of 150 l. Current Money, to be applied to repairing the Rails of the Grave-Yard, &c. was read and granted.

L. H. J.  
Liber No. 47  
October 17

In Pursuance of the Order of this Day, the House proceeded to take into further Consideration the Petition of Doctor Alexander Hamilton, and after Examination of several Witnesses; Ordered, That the same be taken into Consideration on the morrow Morning.

The House adjourns till the morrow Morning 9 of the Clock. p. 278

Thursday Morning, October 18, 1753.

October 13

The House met according to Adjournment, &c.

On motion, Leave given, to bring in a Bill, For granting Fees to the several Justices of the County Courts, and for repealing that Part of the Act of Assembly which grants an Allowance of 80 lbs. of Tobacco per Day, to the said Justices: Ordered, That the Committee of Laws to prepare and bring in a Bill accordingly.

The Bill intituled, An Act to oblige Garnishees to discover Goods and Effects attached in their Hands, and for other Purposes therein mentioned; was read a second Time and passed.

In Pursuance of the Order of the Day, the House proceeded to take into further Consideration the Petition of Doctor Alexander Hamilton, and after Examination of Witnesses; Ordered, That the said Petition be taken into Consideration in the Afternoon.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment.

Upon the Question being put, Whether the Statute made in the second Year of the present King, intituled, An Act for the more effectual preventing Bribery and Corruption, in the Elections of Members to serve in Parliament, ought to be received as a Law within this Province?

Resolved unanimously in the Affirmative.

Resolved also unanimously, That all the Statutes of England, made for the Security, Confirmation, or Advancement, of the Rights, Liberties and Privileges of the British Subject, for the Prevention or Detection of Bribery and Corruption, and the Maintenance and Preservation of Freedom in Elections, the Direction and Regulation of Returning Officers in their Duty, and the Qualification of Electors, except in such cases wherein sufficient Provision hath been or shall be established by Acts of Assembly, have the force of Laws within this Province, and as such ought uniformly and inviolably to be received and observed.

L. H. J. Resolved also, That it is, and hath been, a Duty incumbent on  
 Liber No. 47 every Elector of a Delegate or Burgess, to serve in Assembly for  
 October 18 this Province, to take the Oath of an Elector, prescribed to be taken  
 p. 279 by the Statute of the 2d of George the 2d, Chap. 24th, before he is  
 admitted to vote, or be polled at any Election, if required, as is  
 directed by the said Statute.

Resolved likewise, That it hath been, and is the indispensable Duty  
 of every Sheriff, or other Returning Officer, or Officers, within this  
 Province, to take and subscribe the Oath, directed to be taken in the  
 said Statute, inserting the Word Assembly for Parliament, before  
 he, or they, proceed to such Election; and that the Clerk of every  
 Court, where the Election is made, record such Oath.

Resolved likewise, That it is the Duty of every Sheriff, or Return-  
 ing Officer, or Officers, within this Province, to read the same, in an  
 audible, clear, and distinct Manner, immediately after taking the  
 Oath aforesaid, or cause the same to be read openly to the Electors,  
 and before he, or they, proceed to take any Vote, or admit any to  
 Poll, at such Election.

The House adjourns till the morrow Morning 9 of the Clock.

October 19

Friday Morning, October 19, 1753.

The House met according to Adjournment, &c. all appeared as  
 Yesterday, except Mr. Buchanan.

Mr. Edmonson appeared in the House.

Samuel Chamberlaine, Esq; from the Upper House delivers to  
 Mr. Speaker a Petition of Thomas Barkley, a languishing Prisoner,  
 in Kent County Goal; a Petition of John Radford. and sundry the  
 Justices of Frederick County; the Petition of William Husbands,  
 senr. of Cæcil County, and others; and the Petition of the Inhabi-  
 tants living between the North and South Branches of Gunpowder  
 River; which Petitions were severally indorsed, “By the Upper  
 House of Assembly, read, and referred to the Consideration of the  
 Lower House of Assembly.”

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker  
 the Bill, intituled, An Act continuing an Act intituled, An Act to  
 prevent the ill Practices of Sheriffs in the Collecting and Payment of  
 the Public and County Levies; the Bill, intituled, An Act continuing  
 an Act intituled, An Act for the Gauge of Barrels for Pork, Beef,  
 Pitch, Tar, Turpentine, and Tare of Barrels, for Flour, or Bread;  
 the Bill, intituled, An Act continuing an Act intituled, An Act to  
 remedy some Evils relating to Servants; and the Bill, intituled, An  
 Act continuing an Act intituled, A Supplementary Act to the Act  
 intituled, An Act ascertaining the Height of Fences, &c. severally

indorsed, " By the Upper House of Assembly, 18th of October, 1753. read the second Time, and will pass.

L. H. J.  
Liber No. 47  
October 19

Which Bills were severally read here, and passed for ingrossing.

The Bill, intituled, An Act for reducing the Allowances of the Members of the Upper and Lower Houses of Assembly of this Province, and for assessing the Public Levy; and the Bill, intituled, An Act to oblige Garnishees to discover Goods and Effects, attached in their Hands, and for other Purposes therein mentioned, were sent to the Upper House by Mr. C. Goldsborough and Mr. Edmonson.

On motion, Leave given, that a Bill be brought in, To disable Persons transported into this Province for being concerned in the Rebellion against the King, from voting for Delegates to serve in Assembly: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in a Bill, To disable any Person not being a Freeholder to vote at Elections for Members to serve in Assembly:

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

In Pursuance of the Order of the Day, the House proceeded to take into further Consideration the Petition of Doctor Alexander Hamilton, and after Examination of several Witnesses at the Bar; Ordered, That the same be taken into further Consideration in the Afternoon.

The House adjourns till 2 of the Clock Afternoon.

#### Post Meridiem.

The House met according to Adjournment.

Capt. Lee hath Leave of this House for his Absence.

The Bill, intituled, An Act for continuing an Act intituled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto; was read the second Time, and passed. p. 281

In Pursuance of the Order of this Day, the House proceeded to take into further Consideration the Petition of Doctor Alexander Hamilton, and on a full Enquiry into the Allegations and Facts contained therein, and on a full Hearing of the Defence of Dr. George Steuart, made by his Council at the Bar, and after the most mature Deliberation on the Merits of the said Election: Resolved, that the said Doctor George Steuart, returned as a Citizen and Delegate for the City of Annapolis, is not duly elected.

Resolved, That Doctor Alexander Hamilton is duly elected a Delegate for the City of Annapolis.

L. H. J. Ordered, That Michael Macnemara, Esq; Mayor of the City of  
 Liber No. 47 Annapolis, as principal Member of the said Corporation, do regu-  
 October 19 late the Return made by the Aldermen of the said City, by erasing  
 the Name of Dr. George Steuart, and inserting in Place thereof,  
 the Name of Dr. Alexander Hamilton, who is the Person that ought  
 at first to have been mentioned therein; which was alter'd, in pursu-  
 ance of the said Order, by the Mayor accordingly.

Doctor Alexander Hamilton appeared in the House.

Ordered, That Doctor Carroll and Capt. Gassaway, do go with  
 him to the Upper House to see him qualified: They return, and  
 acquaint Mr. Speaker, they saw him take the several Oaths to the  
 Government required by Law, subscribe the Oath of Abjuration,  
 repeat and sign the Test.

The Gentleman took his Seat in the House.

The House adjourns till the morrow Morning at 8 of the Clock.

October 20 Saturday Morning, October 20, 1753.

The House met according to Adjournment, &c. all appeared as  
 Yesterday, except Capt. Lee.

Mr. John Hawkins, junr. a Member returned to serve in this  
 Assembly for Prince-George's County, appeared in the House.

Ordered, That Capt. Addison and Mr. Murdock, do go with Mr.  
 p. 282 Hawkins, to the Upper House to see him qualified: They return,  
 and acquaint Mr. Speaker, they saw him qualified, in the usual Man-  
 ner, by taking the Oaths to the Government, subscribing the Oath of  
 Abjuration, repeating and signing the Test. The Gentleman took his  
 Seat in the House.

The Bill entituled, An Act continuing an Act intituled, An Act  
 for relieving the Inhabitants of this Province from some Ag-  
 grievances in the Prosecution of Suits at Law, &c. was sent to the  
 Upper House by Mr. Earle and Mr. Hyland.

The Bill entituled, An Act to impower the several Courts within  
 this Province, to order Commissions for the Examination of Wit-  
 nesses residing beyond Sea, and for the more easy Foreclosure of  
 Mortgages;

Was read the second Time and passed, and sent to the Upper  
 House by Mr. Benjamin Mackall and Capt. Gassaway.

The House adjourns till Monday Morning at 9 of the Clock.

October 22 Monday Morning, October 22, 1753.

The House met according to Adjournment: The Members were  
 called and all appeared as on Saturday, except Mr. Smallwood, Col.  
 Robert Jenckins Henry, Mr. Pearce, and Mr. Reynolds.



Mr. Rezin, Mr. Mills, and Mr. J. Goldsborough, appeared.

Mr. Edmunson hath Leave of the House for Absence.

L. H. J.  
Liber No. 47  
October 22

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Petition of William Wells, of Anne-Arundel County, and Rebecca his Wife, indorsed, " By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly."

Which Petition was here read and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The Bill intituled, An Act for the Advancement of Justice, was read the second Time and passed, and sent to the Upper House by Mr. Handy and Mr. Mills.

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Bill intituled, An Act to Licence Hawkers, Pedlars, and petty Chapmen, indorsed, " By the Upper House of Assembly, October 22, 1753. Read the second Time and will pass, with the following p. 283 Amendments; in the 7th and 14th Line of the second Page, instead of the Word Five, put Ten; in the 8th Line of 3d Page, instead of the Words, to the Use of the several County Schools within this Province, put to his Lordship for Support of Government; in the last Line but one of the 4th Page instead of the Clerk of the Council for the Time being who is, put the Treasurer or Treasurers for the Time being, who are; leave out the Words after the Word expressed, in the 4th Line of the last Page, to the Word and, in the 7th Line of the same Page; instead of the Words the Visitors of the respective County Schools within this Province, in the 11th Line of the same Page, put to his Lordship's Agent for the Time being, to the Use of his Lordship for Support of Government.

" Signed per Order, J. Ross, Cl. Up. Ho."

On reading the Amendments proposed by the Upper House to the aforesaid Bill, Resolved, That a Message be prepared to be sent to the Upper House to enforce the Bill: Ordered, That the Committee of Laws do prepare and bring in the same accordingly.

On motion, Leave given, to bring in, An Explanatory Bill to the Act, to enable the Justices of Charles County, to levy a Sum of Tobacco on the taxable Inhabitants of Port-Tobacco Parish, in the said County, for the Purposes therein mentioned: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Major Hall, from the Committee of Laws, delivers to Mr. Speaker, a Bill intituled, An Act to disable Persons transported into this

L. H. J. Province for being concerned in Rebellion against the King, from  
 Liber No. 47 voting for Delegates to serve in Assembly;  
 October 22

Which was read the first Time and ordered to lie on the Table.

The House adjourns till the morrow Morning 8 of the Clock.

October 23

Tuesday Morning, October 23, 1753.

The House met according to Adjournment, &c. all the Members appeared as Yesterday, except Capt. Hopper, and Mr. Earle.

On reading the Petition of William Wells, and Rebecca his Wife,  
 Ordered, That Major Hall, Capt. Gassaway and Mr. Stoddert, be  
 p. 284 a Committee to enquire into the Allegations and Facts contained in  
 the said Petition, and report the same to the House.

The Petition of Thomas Barkley, a languishing Prisoner in Kent County Goal, was read and granted according to prayer.

Capt. Henry Travers and Mr. Joseph Cox Gray, two Members returned to serve in the present Assembly for Dorchester County, appeared in the House.

Ordered, That Col. Hooper and Mr. Charles Goldsborough, do go with them to the Upper House to see them qualified: They return, and acquaint Mr. Speaker, they saw them take the several Oaths to the Government required by Law, subscribe the Oath of Abjuration, repeat and sign the Test.

The Gentlemen took their Seats in the House.

On motion, Resolved, That this House will not proceed on any new Business after next Wednesday Se'nnight, being the 31st Instant.

Ordered, That the Committee of Accounts do not receive any Accounts for the public Claims after next Monday, being the 29th Instant.

Doctor Carroll, from the Committee appointed by the Honourable the Lower House of Assembly, to enquire of the several Officers, their Deputies, Registers or Clerks, the Amount of the Fees that have accrued due to them in their several Offices for Seven or Eight Years last past, delivers to Mr. Speaker the following Report, viz.

October 23, 1753.

Your Committee, in Obedience to the Order of your Honourable House, sent to the Provincial, Land, Commissary's, and Chancery Officers, for the Amount of the Fees, in the said respective Offices, for the Year 1745, to the Year 1752, distinctly, and have received, from the several Clerks, the Accounts hereunto annexed.

Your Committee humbly observe, That the Amount of the Fees in the said Offices, for the Year 1745, 46 and, 47, except the Year 1745 in the Land Office, the Account of which could not be found, amounted to 1,800,624 Pounds of Tobacco; and that under the

Inspection Law, the Amount of the Fees in the said Offices, for the Years 1750, 51, 52, is 1,756,587 Pounds of Tobacco; which is humbly submitted to the Consideration of your Honourable House.

L. H. J.  
Liber No. 47  
October 23

Signed per Order, William Wilkins, Cl. Com.

In Pursuance of, and Obedience to, an Order of the Honourable the Committee, appointed by the Lower House of Assembly, to enquire of the several Officers the Amount of the Fees that have accrued due in their several Offices for Seven or Eight Years last; I hereby humbly certify, that the Amount of the Fees from the Year 1745, to the Year 1752 included, are as follows, viz.

	Pounds of Tobacco.
For the Year 1745	170473 2/4 <sup>th</sup>
1746	170413 2/4 <sup>th</sup>
1747	211705 2/4 <sup>th</sup>
1748	150719 2/4 <sup>th</sup>
1749	127592
1750	118026 4/5 <sup>th</sup>
1751	142007 1/5 <sup>th</sup>
1752	111326 1/5 <sup>th</sup>

That have accrued due in the Secretary's Office, and Provincial Court.

Test. Richard Burdus, Clerk.

The Gross Amount of Fees in the Land Office, for the following Years, viz<sup>t</sup>

	Pounds of Tobacco.
For the Year 1745	Not in the Office.
1746	170230
1747	220449
1748	210339
1749	212387
1750	216724
1751	236476
1752	226059

The Gross Amount of the Secretary's Fees in Chancery for the ensuing Years viz<sup>t</sup>

	Pounds of Tobacco.
For the Year 1745	29522
1746	47069
1747	39760
1748	27745 1/5 <sup>th</sup>
1749	20719 1/5 <sup>th</sup>
1750	25840 2/5 <sup>th</sup>
1751	37095
1752	40606

L. H. J.  
Liber No. 47  
October 23

## Commissary's Fees, Gross Amount.

	Pounds of Tobacco.
For the Year 1745	256127 2/4 <sup>th</sup>
1746	266635 2/4 <sup>th</sup>
1747	218239
1748	152966 4/5 <sup>th</sup>
1749	199274 1/5 <sup>th</sup>
1750	207886 4/5 <sup>th</sup>
1751	218995
1752	175547

## A List of Commissary Generals Fees in the year.

1745

Pounds of Tobacco

Cecil County .....	20120
Kent County .....	10368
Ditto in Ann Arrundell County.....	25549½
Ditto in Baltimore County.....	Ditto 14279
Ditto in Worcester County.....	Ditto 14051½
Prince Georges .....	Ditto 18093½
Calvert Ditto .....	Ditto 15676½
Sommersett Ditto .....	Ditto 21818
Dorchester Ditto .....	Ditto 27723½
Charles Ditto .....	Ditto 21133
Queen Anns Ditto.....	Ditto 19426
Talbot Ditto .....	Ditto 18713
St Marys Ditto.....	Ditto 29176

1746

Kent Ditto .....	Ditto 22268½
Prince Georges Ditto.....	Ditto 14519
Cecil Ditto .....	Ditto 12218
Calvert Ditto .....	Ditto 12721½
Dorchester Ditto .....	Ditto 52336½
Sommersett Ditto .....	Ditto 14420½
Worcester Ditto .....	Ditto 11120
Talbot Ditto .....	Ditto 25721
St Marys Ditto.....	Ditto 24276½
Charles Ditto .....	Ditto 18581
Baltimore Ditto .....	Ditto 17788
Ann Arrundell Ditto.....	Ditto 16014½
Queen Anns Ditto.....	Ditto 24650½

1747

Pounds of Tobacco  
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St Marys D.°	D.°	19400 $\frac{1}{2}$
Kent D.°	D.°	15342 $\frac{1}{2}$
Baltimore D.°	D.°	21942
Worcester D.°	D.°	9596 $\frac{1}{2}$
Sommesett D.°	D.°	10229 $\frac{1}{2}$
Prince Georges D.°	D.°	16495 $\frac{1}{2}$
Charles D.°	D.°	16094
Dorchester D.°	D.°	22681 $\frac{1}{2}$
Calvert D.°	D.°	11055
Talbot D.°	D.°	19161
Cecil D.°	D.°	15002
Ann Arrundell D.°	D.°	19516
Queen Anns D.°	D.°	21723

1748

Kent D.°	D.°	13539 $\frac{1}{5}$
Charles D.°	D.°	6328 $\frac{3}{5}$
Calvert D.°	D.°	5597 $\frac{1}{5}$
Prince Georges D.°	D.°	12439 $\frac{4}{5}$
St Marys D.°	D.°	10456 $\frac{1}{5}$
Dorchester D.°	D.°	8550 $\frac{3}{5}$
Cecil D.°	D.°	13979 $\frac{4}{5}$
Queen Anns D.°	D.°	23816 $\frac{1}{5}$
Baltimore D.°	D.°	15284 $\frac{2}{5}$
Talbot D.°	D.°	12283 $\frac{4}{5}$
Worcester D.°	D.°	7876 $\frac{4}{5}$
Ann Arrundell D.°	D.°	13701 $\frac{2}{5}$
Sommerset D.°	D.°	8913

1749

Ann Arrundel D.°	D.°	19300 $\frac{2}{5}$
Dorchester D.°	D.°	21671 $\frac{2}{5}$
Cecil County	D.°	19640 $\frac{2}{5}$
Frederick D.°	D.°	7228 $\frac{1}{5}$
Kent D.°	D.°	24463
Sommerset D.°	D.°	18966 $\frac{2}{5}$
St Marys D.°	D.°	7740
Charles D.°	D.°	10015 $\frac{4}{5}$
Baltimore D.°	D.°	20399 $\frac{3}{5}$
Worcester D.°	D.°	4733
Queen Anns D.°	D.°	16268 $\frac{1}{5}$
Talbot D.°	D.°	11263 $\frac{1}{5}$
Prince Georges D.°	D.°	7404 $\frac{3}{5}$
Calvert D.°	D.°	10379 $\frac{3}{5}$

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1750

Pounds of Tobacco

Dorchester D.°	D.°	19360 $\frac{1}{5}$
Kent D.°	D.°	13435 $\frac{1}{5}$
Ann Arrundell D.°	D.°	27310
Sommersett D.°	D.°	13585
Prince Georges D.°	D.°	10519 $\frac{1}{5}$
Talbot D.°	D.°	12256 $\frac{4}{5}$
Calvert D.°	D.°	9889
Frederick D.°	D.°	8899 $\frac{1}{5}$
St. Marys D.°	D.°	22222 $\frac{2}{5}$
Cecil D.°	D.°	17463
Baltimore D.°	D.°	16034 $\frac{4}{5}$
Worcester D.°	D.°	6417
Charles D.°	D.°	15439
Queen Anns D.°	D.°	15056

1751

Kent D.°	D.°	20472 $\frac{2}{5}$
Ann Arrundell D.°	D.°	16663 $\frac{3}{5}$
St Marys D.°	D.°	20227
Calvert D.°	D.°	10343 $\frac{4}{5}$
Charles D.°	D.°	15564 $\frac{1}{5}$
Sommersett D.°	D.°	16187
Talbot D.°	D.°	14065 $\frac{4}{5}$
Prince Georges D.°	D.°	12078 $\frac{3}{5}$
Queen Anns D.°	D.°	24924 $\frac{2}{5}$
Frederick D.°	D.°	8437 $\frac{4}{5}$
Cecil D.°	D.°	15091 $\frac{1}{5}$
Baltimore D.°	D.°	14901 $\frac{1}{5}$
Dorchester D.°	D.°	18771 $\frac{4}{5}$
Worcester D.°	D.°	11896 $\frac{2}{5}$

1752

Worcester D.°	D.°	13668
Prince Georges D.°	D.°	8250
Ditto Ditto	D.°	1663 $\frac{3}{5}$
Cecil D.°	D.°	5100 $\frac{4}{5}$
Ditto Ditto	D.°	4615 $\frac{4}{5}$
Dorchester D.°	D.°	13682 $\frac{3}{5}$
Ditto Ditto	D.°	8714 $\frac{1}{5}$
Calvert D.°	D.°	6733 $\frac{4}{5}$
Ditto Ditto	D.°	928 $\frac{4}{5}$
Ann Arrundel Ditto	D.°	7383 $\frac{1}{5}$
Ditto Ditto	D.°	5437 $\frac{1}{5}$
Frederick D.°	D.°	2219 $\frac{1}{5}$

	Pounds of Tobacco	L. H. J.
Ditto Ditto .....	D. <sup>o</sup> 2021 $\frac{1}{2}$	Liber No. 47 October 23
Kent Ditto .....	D. <sup>o</sup> 6748	
Ditto Ditto .....	D. <sup>o</sup> 8827 $\frac{2}{3}$	
Baltimore D. <sup>o</sup> .....	D. <sup>o</sup> 9484 $\frac{2}{3}$	p. 287
Ditto D. <sup>o</sup> .....	D. <sup>o</sup> 7328 $\frac{2}{3}$	
Sommersett D. <sup>o</sup> .....	D. <sup>o</sup> 9150	
Ditto Ditto .....	D. <sup>o</sup> 10470 $\frac{3}{4}$	
St Marys D. <sup>o</sup> .....	D. <sup>o</sup> 5186 $\frac{1}{2}$	
Ditto Ditto .....	D. <sup>o</sup> 13837 $\frac{3}{4}$	
Queen Anns .....	D. <sup>o</sup> 11835 $\frac{2}{3}$	
Ditto Ditto .....	D. <sup>o</sup> 3850 $\frac{3}{4}$	
Talbot D. <sup>o</sup> .....	D. <sup>o</sup> 8540	
Ditto D. <sup>o</sup> .....	D. <sup>o</sup> 874 $\frac{2}{3}$	

Which was read and ordered to lie on the Table.

Col. Hammond, from the Upper House, delivers to Mr. Speaker, p. 287  
a Petition of Mr. Horatio Samuel Middleton; a Petition of the Incumbent and Vestrymen of Saint Michael's Parish, in Talbot County; and, of James Tilghman, of said County, Attorney at Law, and Anne his Wife; and, a Petition of Major George Beall, of Frederick County; severally indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly."

Which Petitions were severally read here, and ordered to lie on the Table.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for the Trial of all Matters of Fact, in the several Counties where they have arisen, or shall arise; indorsed, "By the Upper House of Assembly, October 23, 1753. Read the Second Time, and will pass, with the following Amendments. The Words, and not elsewhere, in the 12th Line of the first Page, to be omitted; in 19th Line of 3d Page, instead of Four, put Five; in 16th Line of 5th Page, instead of Six, put Seven; leave out the first Clause in Page 6, and instead thereof, insert the following One, And be it Enacted, by the Authority, Advice and Consent aforesaid, That the Justices of Assize, Nisi Prius, and Goal Delivery, shall, in all civil Cases to be tried before them, where any Person concerned shall desire the same, allow and direct special Verdicts to be found; in 19th Line of the same Page, after the Word Terminer, put, or during their Sitting; in 17th Line of Page 7, between the Word on and Twenty, in the 8th Line of same Page, put these Words, or delivered to the Defendant, or left at his or her last Place of Abode; after the Word notwithstanding in the 10th Page, insert the following Clause, And whereas, since the last Provincial Court, sundry Persons have been committed for Crimes and Misdemeanours by them done, and Witnesses have been bound over to testify against

L. H. J. such Persons at next Provincial Court: Be it therefore Enacted, That  
 Liber No. 47 all such Commitments and Recognizances, returnable before the said  
 October 23 Provincial Court, shall be obliged to be returned by the respective  
 p. 288 Magistrates taking such Recognizances, before the Judges of Assize  
 in the respective Counties where the Offences have been committed,  
 and the Offenders and Witnesses be obliged to appear, by Virtue of  
 the said Recognizances, accordingly.

Signed per Order, J. Ross, Cl. Up. Ho."

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker  
 a Petition of the Rector, Vestrymen, and Churchwardens of Saint  
 John's Parish, in Baltimore County; and a Petition of sundry the  
 Inhabitants of Prince George's County, severally indorsed, " By the  
 Upper House of Assembly, referred to the Consideration of the  
 Lower House of Assembly.

On reading the second Time the Bill intituled, An Act to prevent  
 Masters of Ships and Vessels, from clandestinely carrying Servants  
 and Slaves, &c. out of this Province; the Question was put, Whether  
 the said Bill shall pass, or Not? Resolved in the Affirmative.

#### For the Affirmative.

Mills,	Handy,	Hawkins,
Williamson,	J. Goldsborough,	Hamilton,
Rasin,	Oldham,	Purnell,
Falconar,	Tilghman,	Selby,
Carroll,	Hooper,	Evans,
Hall,	C. Goldsborough,	Scarborough,
Gassaway,	Hyland,	D. Dulany,
Reynolds,	George,	Crabb,
Gantt,	Pearce,	Chaplin,
Stoddert,	Frasier,	Magruder.

#### For the Negative.

Gresham,	R. Henry,	Govane,
B. Mackall,	Travers,	Wilkinson,
Gillis,	[Gray,]	Tillotson.

Which Bill was accordingly indorsed, Read the second Time and  
 will pass.

The House adjourns until 2 of the Clock.

#### Post Meridiem.

The House met according to Adjournment, &c.

The Bill intituled, An Act for repairing the public Roads, in this  
 Province; was read the second Time and passed.

On reading the Amendments, proposed by the Upper House, to the  
 p. 289 Bill intituled, An Act for the Trial of all Matters of Fact, &c. the



Question was put, Whether the following Clause, proposed by the Upper House as an Amendment to the said Bill, viz. And be it Enacted, by the Authority, Advice, and Consent aforesaid, That the Justices of Assize, Nisi Prius and Goal Delivery, shall, in all Civil Cases to be tried before them where any Person concerned shall desire the same, allow and direct special Verdicts to be found, shall be inserted in the Bill, or Not? Resolved in the Affirmative.

L. H. J.  
Liber No. 47  
October 23

For the Affirmative.

Bond,	Handy,	Pearce,
Barnes,	J. Goldsborough,	W. Dulany,
Mills,	Oldham,	Hamilton,
Williamson,	Tilghman,	Tillotson,
Rasin,	Hooper,	Purnell,
Gresham,	C. Goldsborough,	Selby,
Gantt,	Travers,	Evans,
Stoddert,	Gray,	Scarborough,
Harrison,	Buchanan,	D. Dulany.
Gillis,	Hyland,	
Henry,	George,	31

For the Negative.

Carroll,	Govane,	Crabb,
Hall,	Addison,	Chaplin,
Gassaway,	Frasier,	Magruder.
Mackall,	Hawkins,	
Reynolds,	Wilkinson,	13

On reading the Bill intituled, An Act for Trial of all Matters of Fact, &c. with the Amendments proposed by the Upper House, the same were agreed to by this House, and the Bill was ordered to have the Amendments inserted therein, which accordingly were inserted: the Question was put, Whether the Bill intituled, An Act for Trial of all Matters of Fact, &c. do pass for Ingrossing, or Not? Resolved in the Affirmative.

For the Affirmative.

Bond,	Gillis,	Buchanan,
Barnes,	Henry,	Hyland,
Mills,	Handy,	George,
Williamson,	J. Goldsborough,	Pearce,
Rasin,	Oldham,	Tillotson,
Gresham,	Tilghman,	Purnell,
Falconar,	Hooper,	Selby,
Gantt,	C. Goldsborough,	Evans,
Stoddert,	Travers,	Scarborough,
Harrison,	Gray,	D. Dulany 30

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Carroll,  
Hall,  
Gassaway,  
B. Mackall,  
Reynolds,

For the Negative.

Govane,  
Addison,  
Frasier,  
Hawkins,  
W. Dulany,

Hamilton,  
Wilkinson,  
Crabb,  
Chaplin,  
Magruder. 15

Which Bill was accordingly indorsed, Read and passed for ingrossing.

Mr. John Paca, a Member returned to serve in this Assembly, for Baltimore County, appeared in the House.

Ordered, That Mr. Govane, and Mr. Buchanan, do go with him to the Upper House to see him qualified: They return, and acquaint Mr. Speaker, they saw him take the several Oaths to the Government required by Law, subscribe the Oath of Abjuration, repeat and sign the Test.

The Gentleman took his Seat in the House.

On motion, Ordered, That the Petition of Thomas Catterall be taken into Consideration, on next Friday at Ten of the Clock.

The House adjourns till the morrow Morning at 8 of the Clock.

October 24

Wednesday Morning, October 24, 1753.

The House met according to Adjournment, &c.

Mr. J. Mackall, Mr. Smallwood, Capt. Hopper, Mr. Earle, and Major Ridgely, appeared in the House.

The Bill intituled, An Act to prevent Persons from secreting Flats, Boats, &c. was read the second Time, and passed: Which Bill, with the Bill intituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants, &c. out of this Province; and the Bill intituled, An Act for repairing the Public Roads in this Province; were sent to the Upper House by Capt. Williamson and Mr. Rasin.

Col. Tasker from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act to oblige Garnishees to discover Goods and Effects attached in their Hands, &c. indorsed "By the Upper House of Assembly, October 24, 1753. Read the second Time, and will not pass."

Philip Thomas, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for issuing Writs of Replevin out of the County Courts of this Province; indorsed, "By the Upper House of Assembly, "October 24, 1753. Read the second Time, and will not pass."

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act continuing an Act intituled, An Act for relieving the Inhabitants of this Province, from some

Aggrievances in the Prosecution of Suits at Law, &c. indorsed, "By the Upper House of Assembly, October 24, 1753. Read the second Time, and will pass, with the following Amendments; instead of the Words, are hereby made perpetual, and shall have Continuance for ever, put, to continue for Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said three Years.

L. H. J.  
Liber No. 47  
October 24

Signed per Order, J. Ross, Cl. Up. Ho."

On reading and considering the Report from the Committee of Grievances, relating to Thomas Muir, Esq; the Question was put, Whether Distress can be legally made for any Sum of Money, claimed as Arrears of Rent due before the issuing the Patent, at any Time after the Date of the said Patent, or Not? Resolved in the Negative.

Upon hearing Mr. Thomas Muir, on the Report of the Committee of Aggrievances and Courts of Justice, on the Complaint of Roger Hooper, Resolved, That the said Thomas Muir did illegally and oppressively distrain upon the said Roger Hooper for a much greater Sum of Money for Quit-Rents than was really due to the Lord Proprietary, and took and received (from the said Hooper) as Receiver aforesaid, extortionately, illegally, and oppressively, the said Sum of Money.

It being moved that an Address be prepared to his Excellency the Governor, to intreat him to order a Prosecution against the said Thomas Muir, for the Extortion aforesaid; thereupon the Question was put, Whether an Address be prepared to his Excellency, intreating him to order a Prosecution against the said Thomas Muir, or Not? Resolved in the Affirmative.

For the Affirmative.

Williamson,	Stoddert,	Hawkins,
Falconar,	Smallwood,	Wilkinson,
Carroll,	C. Goldsborough,	Tillotson,
Gassaway,	Travers,	Purnell,
J. Mackall,	Ridgely,	Evans,
B. Mackall,	Hyland,	Scarborough,
Reynolds,	Pearce,	Crabb,
Gantt,	Addison,	Chaplin,
Lee,	Frasier,	Magruder. 27

For the Negative.

Bond,	Gillis,	Buchanan,
Barnes,	Henry,	Paca,
Mills,	Handy,	Earle,
Rasin,	J. Goldsborough,	W. Dulany,
Gresham,	Oldham,	Hopper,
Hall,	Tilghman,	Holiday,
Harrison,	Gray,	Selby,
Waggaman,	Govane,	D. Dulany. 24

L. H. J. Ordered, That Dr. Carroll, and Col. Hooper, do prepare and  
 Liber No. 47 bring in an Address to his Excellency the Governor accordingly.  
 October 24

Col. Hammond, from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for the Advancement of Justice, indorsed, “By the Upper House of Assembly, October 24, 1753 read and second Time and will pass, with the following Amendments; at the End of the Bill, insert the following Clause, This Act to continue for Three Years, and unto the End of the next Session of Assembly, which shall happen after the End of the said Three Years.”

Signed per Order, J. Ross, Cl. Up. Ho.”

On motion, Leave given to bring in a Bill, To regulate Judicial Proceedings: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

#### Post Meridiem.

The House met according to Adjournment, &c.

On reading the Petition of Major George Beall, indorsed, “By the Upper House of Assembly, referred to the Consideration of the Lower House.”

Ordered, That the Petition be heard at the Bar of this House on Thursday Morning the first Day of November next, and that all Parties concerned have due Notice thereof, and that the Clerk of the House do issue Summons's on the Application of any of the Parties.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker, a Bill intituled, An Act to disable any Person, not being a Freeholder, to vote at Elections, for Members to serve in Assembly.

Which was read the first Time and ordered to lie on the Table.

The House adjourns till the morrow Morning at 8 of the Clock.

October 25

Thursday Morning, October 25, 1753.

p. 293 The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. George.

The Bill intituled, An Act for the Advancement of Justice, was read, and, with the Amendments proposed by the Upper House, passed for ingrossing.

The Bill intituled, An Act continuing an Act intituled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, &c. was read, and, with the Amendments proposed by the Upper House, passed for ingrossing.

The Bill intituled, A Supplementary Act to an Act intituled, An Act to prevent the injuring Harbours within this Province, &c. was

read the second Time; and the Question was put, Whether the said Bill shall pass, or Not? Resolved in the Affirmative.

L. H. J.  
Liber No. 47  
October 25

For the Affirmative.

Bond,	Stoddert,	Earle,
Barnes,	Smallwood,	Addison,
Mills,	Harrison,	Frasier,
Rasin,	J. Goldsborough,	Hawkins,
Carroll,	Hooper,	W. Dulany,
Hall,	Gray,	Selby,
Gassaway,	Govane,	Scarborough,
J. Mackall,	Buchanan,	D. Dulany,
B. Mackall,	Ridgely,	Crabb,
Reynolds,	Paca,	Chaplin,
Gantt,	Pearce,	Magruder. 33

For the Negative.

Williamson,	Handy,	Wilkinson,
Gresham,	Oldham,	Tillotson,
Falconar,	Tilghman,	Holliday,
Waggaman,	Travers,	Purnell,
Gillis,	Hyland,	Evans.
Henry,	Hopper,	17

The said Bill was accordingly indorsed, Read the second Time and will pass, and was sent to the Upper by Mr. Buchanan, and Major Ridgely.

On reading the Account of George Scott, laid before the Committee of Accounts, for the Fees charged on Prosecution of Criminals, before an especial Court appointed to be held in Prince George's County, by Commission for that Purpose; the Question was put, Whether the Charges arising by special Courts, be paid by the Public, or by the Counties where the Criminals are tried? Resolved, That the Charges be paid by the Public.

For the Charges being paid by the Public.

Bond,	Buchanan,	Evans,
Barnes,	Ridgely,	Scarborough,
Key,	Paca,	D. Dulany,
Hall,	Earle,	Crabb,
Harrison,	W. Dulany,	Chaplin,
Henry,	Hopper,	Magruder,
J. Goldsborough,	Holliday,	Hyland,
Tilghman,	Purnell,	Pearce.
Govane,	Selby,	26

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For the Charges being paid by the Countys

Mills,	Reynolds,	Hooper,
Williamson,	Gantt,	Travers,
Rasin,	Stoddert,	Gray,
Gresham,	Smallwood,	Addison,
Carroll,	Waggaman,	Frasier,
Gassaway,	Gillis,	Hawkins,
J. Mackall,	Handy,	Wilkinson,
B. Mackall,	Oldham,	Tillotson. 24

George Plater, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act to prevent Persons from secreting Boats, &c. indorsed, “ By the Upper House of Assembly, October 25, 1753. Read the second Time and will pass, with the following Amendments; instead of the Words Three Pounds, in the 4th Line of the 2d Page, put Fifty Shillings.

“ Signed per Order, J. Ross, Cl. Up. Ho.”

Which was read here, and, with the Amendments proposed by the Upper House, passed for ingrossing.

On motion, The Question was put, Whether the Charges arising in the several Counties by the Inspection Law, shall be defrayed at the Charge of the Public, or at the Charge of the Counties in which they arise? Resolved, That the Charges be paid by the Counties in which they arise.

For the Charges to be defrayed by the Public.

Key,	Hooper,	Purnell,
Waggaman,	C. Goldsborough,	Selby,
Gillis,	Travers,	Evans,
Henry,	Gray,	Scarborough.
Handy,	Hyland,	14

For the Charges to be defrayed by the Counties.

Bond,	Gantt,	Addison,
Barnes,	Stoddert,	Frasier,
Mills,	Smallwood,	Hawkins,
Williamson,	Harrison,	W. Dulany,
Rasin,	J. Goldsborough,	Hopper,
Gresham,	Oldham,	Wilkinson,
Falconar,	Tilghman,	Tillotson,
Carroll,	Govane,	Holiday,
Hall,	Buchanan,	D. Dulany,
Gassaway,	Ridgely,	Crabb,
J. Mackall,	Paca,	Chaplin,
B. Mackall,	Pearce,	Magruder.
Reynolds,	Earle,	38

The House adjourns till 2 of the Clock Afternoon.

## Post-Meridiem.

L. H. J.  
Liber No. 47  
October 25

The House met according to Adjournment, &c.

The Petition of the Incumbent and Vestrymen of Saint Michael's Parish, in Talbot County, and of James Tilghman, of the said County, Attorney at Law, and Anne his Wife; the Petition of Horatio Samuel Middleton, of the City of Annapolis; the Representation of the Owners of Lots, &c. in Chester-Town, in Kent County; the Petition of John Radford, and sundry the Justices of Frederick County; the Petition of sundry the Inhabitants of Prince-George's County; the Petition of Saint John's Parish, in Baltimore County; and, the Petition of Saint Paul's Parish, in Baltimore County, referred from the Upper House, were severally read here, and Leave given to the Petitioners to bring in Bills according to prayer. p. 295

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants, &c. out of this Province; indorsed, "By the Upper House of Assembly, October 25, 1753. Read the second Time, and will pass, with the following Proviso, being inserted after the Word notwithstanding, in the last Line but Two. Provided nevertheless, and it is hereby Enacted and Declared, That where it shall happen, the Master of such Ship or Vessel, as aforesaid, shall, by Reason of Sickness, be rendered unable to attend on such Naval Officer, that then, and in such Cases, the chief Mate, or next Officer of such Ship or Vessel, shall be admitted to make Entry of the said Ship or Vessel, and that afterwards the said Master, as soon as he is able, and before the Clearing of the said Ship or Vessel, shall be, and is hereby, obliged to take the said Oath, or Affirmation if a Quaker, as aforementioned.

"Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was read here, with the proposed Amendments by the Upper House, and passed for ingrossing.

Daniel Dulany, Esq; brings in, and delivers to Mr. Speaker, a Bill intituled, An Act empowering the Incumbent and Vestrymen of Saint Michael's Parish, in Talbot County, and James Tilghman, of the said County, and Anne his Wife, to make an Exchange of certain Lands therein mentioned; which was read the first Time, and ordered to lie on the Table.

The House adjourned till the morrow Morning at 8 of the Clock

L. H. J.  
Liber No. 47  
October 26

Friday Morning, October 26, 1753.

The House met according to Adjournment, &c.

Capt. Lee, and Mr. Edmunson, appeared in the House.

The Bill intituled, An Act impowering the Incumbent and Vestry-  
p. 296 men of Saint Michael's Parish, and James Tilghman of the said  
County and Ann his wife &c. was read the second Time and passed,  
and sent to the Upper House by Mr. Oldham, and Mr. Rasin.

On motion, Leave given, to bring in a Bill, To ascertain the Man-  
ner of Payment of the several Fees accruing due by especial Com-  
mission: Ordered, That the Committee of Laws do prepare and  
bring in a Bill accordingly.

The Bill intituled, An Act to disable Persons transported, &c. was  
read the second Time and passed, and sent to the Upper House by  
Mr. Crabb, and Mr. Frasier.

The Bill intituled, An Act to disable any Person, not being a Free-  
holder, to vote at Elections, for Members to serve in Assembly, was  
referred for a second Reading, on the first Day of January, 1754.

The House adjourns till 2 of the Clock.

#### Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Govane brings in, and delivers to Mr. Speaker, a Bill intituled,  
An Act impowering the Justices of Baltimore County, to levy on the  
taxable Inhabitants of Saint Paul's Parish, in the said County, a  
Sum of Current Money, for the Uses therein mentioned; which was  
read the first Time, and ordered to lie on the Table.

In Pursuance of the Order of the Day, the Petition of Thomas  
Catterall was read, and after hearing Council at the Bar, on both  
Sides thereon: Ordered, That the same be taken into Consideration,  
on the morrow Morning.

The House adjourns till the morrow Morning 8 of the Clock.

October 27

Saturday Morning, October 27, 1753.

The House met according to Adjournment, &c. all appeared as  
Yesterday, except Mr. Bond.

In Pursuance of the Order of the Day, the House proceeded to  
take into Consideration the Petition of Thomas Catterall, and after  
due Deliberation thereon; the Question was put, Whether the said  
Petition be granted, according to the Petitioner's Prayer, or Not?  
Resolved in the Affirmative.



For the Affirmative.

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Barnes,	Stoddert,	Frasier,
Mills,	Smallwood,	Hawkins,
Williamson,	Harrison,	Wilkinson,
Rasin,	Handy,	Crabb,
Falconar,	Oldham,	Chaplin,
Hall,	Edmunson,	Magruder,
Gassaway,	Govane,	Purnell,
J. Mackall,	Buchanan,	Selby,
B. Mackall,	Paca,	Evans,
Reynolds,	Hyland,	Scarborough.
Gantt,	Pearce,	
Lee,	Addison,	34

For the Negative.

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Carroll,	Hooper,	Hamilton,
Waggaman,	C. Goldsborough,	Hopper,
Gillis,	Travers,	Tillotson,
Henry,	Gray,	Holliday,
J. Goldsborough,	Earle,	D. Dulany.
Tilghman,	W. Dulany,	17

Ordered, That Leave be given to Thomas Catterall, to bring in a Bill according to the Prayer in his Petition set forth.

Mr. Charles Goldsborough, from the Committee of Laws, delivers to Mr. Speaker, a Bill intituled, An Act for regulating Judicial Proceedings; and, a Bill intituled, An Act for granting Fees to the several Justices of the County Courts, and for repealing that Part of the Act of Assembly, which grants an Allowance of Eighty Pounds of Tobacco per Day, to the said Justices; which Bills were severally read the first Time, and ordered to lie on the Table.

Doctor Carroll brings in, and delivers to Mr. Speaker, an Address to his Excellency the Governor, which was read, and ordered to lie on the Table.

The House adjourns till Monday Morning at 9 of the Clock.

Monday Morning, October 29, 1753.

October 29

The House met according to Adjournment, &c. all appeared as on Saturday, except Mr. Rasin, Mr. Gresham, Mr. J. Mackall, Major Ridgely, Mr. Earle, and Capt. Addison.

Doctor Carroll, from the Committee of Laws, delivers to Mr. Speaker, an ingrossed Bill intituled, An Act for the Trial of all Matters of Fact, &c. an ingrossed Bill intituled, An Act for the Advancement of Justice; an ingrossed Bill intituled, An Act con-

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Liber No. 47  
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tinuing an Act intituled, An Act for the Gauge of Barrels for Pork, &c. an ingrossed Bill intituled, An Act continuing an Act intituled, An Act to remedy some Evils, &c. and, an ingrossed Bill intituled, An Act continuing an Act intituled, An Act to prevent the ill Practices of Sheriffs, &c.

Mr. Charles Goldsborough, from the Committee of Laws, delivers to Mr. Speaker, an ingrossed Bill intituled, An Act continuing an Act intituled, A Supplementary Act to the Act intituled, An Act ascertaining the Height of Fences, &c. an ingrossed Bill intituled, An Act continuing an Act intituled, An Act for relieving the Inhabitants of this Province from some Aggrievances, &c. an ingrossed Bill intituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants, &c. out of this Province; and, an ingrossed Bill intituled, An Act to prevent Persons from Secreting Flats, Boats, &c.

The House adjourns till 2 of the Clock Afternoon.

#### Post Meridiem.

The House met according to Adjournment, &c.

Col. Hooper, from the Committee of Aggrievances, delivers to Mr. Speaker, the following Report, viz.

By the Committee of Grievances and Courts of Justice, October 29, 1753.

Upon the Representation of several Clergymen, and other Gentlemen of the Church of England, your Committee proceeded to take the Examinations and Depositions hereunto annexed, and find, That the Growth of Popery within this Province, is become notorious, by the public Preaching of Priests, and their perverting many of his Majesty's Protestant and Loyal Subjects; as also corrupting the Minds of Youth by teaching School publicly: And that the Papists not content with sending their own Children to be brought up at St. Omer's, out of the King's Obedience and Allegiance, contrary to Law, they endeavour to prevail on a Protestant to do the same. That it is a common Practice, as well among the Popish Jesuits as other Papists, to endeavour to and do pervert Servants and Negroes of Protestants, and keep them under their Command and Authority, which, upon any Insurrection (from their well known Principles), may become of dangerous Consequence to his Majesty's Protestant Subjects in Maryland.

That the insolence of Papists appears in the Deposition of Mr. Robert Chesly, of St. Mary's County, hereunto annexed.

Your Committee humbly conceive, That sending Children into foreign Popish Seminaries for Education, is against Law; and that endeavouring to and perverting any Subject to the Church of Rome, is likewise illegal; and that such and other Practices of the Papists

within this Province, tend to endanger the established Church and State therein, and therefore require Redress: But is humbly submitted to the Consideration of your honourable House.

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Signed per Order, William Wilkins, Clerk.

To which Report the following Papers were annex'd, viz.

We the subscribing parochial Clergy, whose Names are subscribed, are informed of the following Particulars, which we humbly offer to the Consideration of the honourable the Committee of Grievances.

First, That several Popish Schoolmasters do publicly and openly keep School, and teach Protestant Children to the great Danger of corrupting their Principles, and giving them an early Inclination to that Communion.

2dly, That not only many Children of Popish Parents, are sent to be educated in foreign Seminaries, but that there is a known Instance of Papists endeavouring to influence a Protestant Father, to send his Children to St. Omer's

3dly, That the Endeavours of the Popish Priests to withdraw our People from the Communion of the Church of England, and the illegal Methods they take to effect their Purposes, appear from an instance of a Priest in Charles County, who being applied to by a young Couple for Marriage, who had been published by him in his Chapel, the Man a Papist, the Woman a Protestant, and finding the Woman inflexible to his Persuasions to turn Papist, turned them both violently out of the Chapel, in the Presence of the Congregation: and from a Practice said to be common with them of obliging the Protestant Party married by them to one of their Communion, to give a solemn Oath, That the Children of that Marriage shall all be brought up Papists.

4thly, That their public Preaching is so notorious and unreserved, That there are known Instances of their Preaching publicly to large mixed Congregations in Port Tobacco Court House, in Charles County.

5thly, That several Dissenting Teachers of various Sects and Denominations, do, contrary to the Laws of this Province, preach publicly, without taking the Oaths to the Government.

Thomas Chase,  
Hugh Deans,  
Thomas Cradock,  
James Macgill,  
William Brogden.

About two Years ago, Mr. Turner Wootton, of Prince George's County, told me, That Mr. Basil Waring, a Papist in the same County, endeavoured to persuade him the said Mr. Wootton, to send

L. H. J. his Son Thomas Wootton to St. Omer's to be educated. Mr. Wootton  
 Liber No. 47 (I thought) seemed at that Time, a little inclined to hearken to  
 October 29 his (Mr. Waring's) Advice, on Account of the Cheapness and Good-  
 ness of Education there, as Mr. Waring pretended. Mr. Wootton  
 has lately mentioned the same Thing to me, but with some Express-  
 sions of Dislike

October 25, 1753.

William Brogden.

I have heard it reported, That a Priest in St. Mary's County, upon  
 marrying of a Couple, the Man a Protestant, the Woman a Roman  
 Catholic, swore the Man, before he would marry him, That he should  
 bring up his Children in the Romish Faith.

October 25, 1753.

Samuel Clagett.

Mr. Francis Waring, of Prince George's County, Gentleman, aged  
 thirty eight Years, or thereabouts, being sworn on the holy Evange-  
 lists of almighty God, deposeth and faith, That about nine or ten  
 Years ago, Mr. Richard Marsham Waring, of the same County,  
 Gentleman, died, and left four Sons, three of which he directed, by  
 his Will, should be brought up in the Roman Catholic Faith, by their  
 Mother, who was a Protestant; but if she neglected or refused so to  
 do, then their Uncle, Basil Waring, was directed to take them, with  
 their Fortunes, and bring them up agreeable to the said Will; their  
 Mother lived four or five Years after their Father's Death, and dur-  
 ing her Life carried them to the Protestant Church, during which  
 Time, their Uncle never offered to meddle with them; when she died,  
 Basil Waring then took the Children, but a Dispute arising about  
 the Child that was not directed to be brought up a Papist, Mr. Henry  
 Hawkins, of Charles County, their Grandfather, thought he had a  
 Right to take him, and to see to his Education, on which he applied  
 to the County Court, but they directed Basil Waring to take him,  
 with the rest of his Brothers; since that, he has sent the eldest Son,  
 Richard, to Saint Omer's, for his Education, and has shewed this  
 Deponent several Letters that he has received from him, the first  
 Letters he seemed much pleased with being sent there, and afterward,  
 writes very pressing to be taken away, upon which, I asked him what  
 p. 301 he would do about it? he told me in answer, that he would not force  
 him to stay contrary to his Inclination, but would Order him to be  
 brought away immediately, though he had paid for a longer Time  
 than he had been there: Soon after he shewed me another Letter  
 from him, wherein he says he is very well pleased with his Situation,  
 and desires he would not send for him till his Time was out at School.

October 27, 1753.

Francis Waring.

Taken before me, Thomas Jennings.

Thomas Greaves, of Saint Mary's County, Carpenter, aged sixty three Years, or thereabouts, being sworn on the holy Evangelists of almighty God, deposeth and saith, That Mary, the Wife of William Snowden, told him this Deponent, that the Roman Catholics, in Maryland, did raise Money for the Use of the Pretender, in the late Rebellion, and that she, the said Mary, had paid Ten Shillings to that Purpose, and that he understood by her, that they the Papists had all contributed to that End, viz. towards carrying on the Rebellion against King George. That he observed, at that Time, the Papists, in Saint Mary's County, judged themselves so numerous, that they said they were sure that they were Man to Man against the Protestants, and that the Papists very frequently said, they would wash their Hands in the Blood of Protestants, and that they would soon preach in Chaptico Church, which is a Parish Protestant Church, in the said County, and that all the Protestants would be damned, for that there was no Salvation out of the Church of Rome, and that in that County, the Papists, as well as their Priests, endeavour to pervert the Protestants in that County, as also the Negroes of Protestant Inhabitants, insinuating to them Damnation if they do not follow their Doctrine. This Deponent further saith, That one Molyneux, a Jesuit, who resided at Port Tobacco, in Charles County, and who was Chief of the Jesuits at a House there, and over all the rest in the Province as he judges, was often absent from his said Place of Abode, and as this Deponent understood from one William Fletcher, who lived with one Livers, a Jesuit, in Saint Mary's County, the said Molyneux was gone back in the Country, but how far he did not well understand, but that it was among the Dutch or French, and that by the Neighbourhood, it was supposed he the said Molyneux, was gone among the French; that upon the said Molyneux his next Return, he brought with him a Person who was affirmed to be a Priest, and who this Deponent saw, but did not understand his Language, but believes it to be French or Dutch, as he was informed he could not talk English; that, in the Time of the late Rebellion, this Deponent saw three well dressed Gentlemen, whom he took to be Frenchmen, coming from Mr. Livers the Jesuit his House, and that they had been there two or three Days, as he understood; that at the said Livers his House, there are always two or three Priests, or Jesuits, who have a public Chapel there, as also two more within the Space of four Miles off this Deponent's House; that Mr. Livers, the Jesuit aforesaid, was about an Agreement with this Deponent to undertake to build a Popish Chapel, in Saint Mary's County, but offered him too little to compleat it; that James Thompson, a Papist, also Messieurs Sligh and Lancaster, Papists also, who projected the Building, treated with this Deponent about it; that Thompson told this Deponent, that Philip Key, Esq; and Mr. John Bond, were to give Five Hundred Pounds of Tobacco each, towards building the said Chapel, which Tobacco

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L. H. J. was to be in Part of the Consideration for building the Chapel aforesaid, but that there wanted One Thousand Pounds of Tobacco more, which was the Reason he did not undertake the Building aforesaid : That, to the best of his Knowledge, in the Neighbourhood where he lives, there are two Papist Families for one Protestant one, and in the Time this Deponent has lived there, which is Forty Years, has known many perverted from the Protestant Religion, by the Industry, and artful Endeavours, of the Jesuits, and Romish Laity, that the general Opinion of the Catholics is, that whoever converts a Heretic will save his Soul alive, and that the Protestants ought to be destroyed, that he believes if the Protestants were not well secured by good English Laws, the Papist would soon cut off all that they call Heretics ; and this Deponent further saith, that Margaret, the Widow of one John Greaves, deceased, who were Protestants, hath, since his Decease, married one Peter Pain, of Saint Mary's County, a Roman Catholic, that she the said Margaret, and many other credible Persons, have told him, this Deponent, that she is constantly applied to, in order to pervert her from the Protestant Religion, and that although her said Husband hath many Horses to spare, he will not suffer her to have one to go to the Church of England, the Parish Church of which is about five Miles distant from his Plantation, that the said Margaret, to his Knowledge, has walked twice to the Parish Church aforesaid, for Want of a Horse ; and this Deponent, likewise, further saith, that all or most of the Servants that come into Saint Mary's County, that are bought by Papists, are generally secured, by the Jesuits or Papists, to become of their Religion, by Means of which, and other artful Contrivances, he is convinced, the Papists greatly increase in their Numbers. That chief of the Schoolmasters where he lives are Papists, and teach the Children of Protestants publicly, and that one of the Magistrates, in the said County, sends his Children to the School of such Papists, and that he has known three Papist Schoolmasters in his Neighbourhood, within the Space of three or four Years last past ; and further saith not.

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Thomas Greaves.

Taken before me, Robert Jenckins Henry.

Thomas Reader, of Saint Mary's County, Gentleman, aged forty one Years, or thereabout, being sworn on the holy Evangelists of almighty God, deposeth and saith, that he had an Overseer who was a professed Roman Catholic, who, having been at Mass, told this Deponent, when he came home, that the Priest had now secured the Protestants that married Roman Catholic Women, by an Oath, before he would marry them, (only making them promise before, which promise was often broke), that he saw and heard Richard Ellis, a Priest, marry a certain Thomas Radford, a Protestant, to Elisabeth Joseph, a Roman Catholic, and before he would marry him, made him take an Oath, to abide and practice the Roman Catholic Faith

himself, and also to bring his Children, if he had any, up in the same Religion and Faith, and in a few Days after, the said Overseer came from Mass again, and said he saw the said Ellis administer an Oath, and marry a certain Gerrard Jordon, a Protestant, to Mildred Mahony, a Catholic, in the same Manner; which Facts were done about last March was twelve Months.

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That a certain John Lockwood, who had been at work for Mr. Molyneux, a Priest, in Charles County, in the Time of the late Rebellion, the best Part of a Summer Season, (which Lockwood was a Tennant to this Deponent), when he came home, told this Deponent, that Mr. Molyneux had been from home a long Time and brought with him at his Return, two Strangers, who could not speak English, and that on this Deponent his telling of it to one John Jones, a Roman Catholic, he said he saw five Strangers which Mr. Molyneux brought into Saint Mary's County, and bought them Horses; that the said Jones said, he enquired what they were, at the Priest's, who answered they were Wappalow Priests, but the said Jones said they were no more Priests than he was, being too gay drest. That this Deponent's Negroes are perverted and turn'd Roman Catholics, unknown to him, notwithstanding he has brought the most of them up, from Children, in the Protestant Religion, by learning them their Prayers, and sending them to the Protestant Church, with his Family: an Instance of which happened lately in his Family, and occasioned a Discovery, viz. One of his Negroes fell sick, and it was thought he would die, and upon this Deponent's asking him if he should send for a Clergyman of the Church of England, the Negro said no, for he would have the Priest; that in a few Days after, Priest Ellis wrote to this Deponent to know if he would permit him to visit the Negro.

That this Deponent, for several Years past, has been obliged to board his Children abroad for Education, there being none but Romish Schoolmasters near him; and this Deponent further saith, that in his Neighbourhood, the Papists are more numerous than the Protestants, and that there are several Popish Chapels wherein Mass is performed constantly; that lately one Thomas Bridgid, a Protestant, married a Papist, in said County, that he the said Bridgid, and his Mother, told him, that since he had been married, the Papists had often endeavoured to turn him to the Popish Religion, by telling him that all Protestants were damned; that one Henry Howe a Papist, told his, the said Bridgid's Wife, that he hoped she would not become a Protestant, for she knew, as well as he did, that they were all lost.

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That he the said Bridgid was going to carry his Child, to the Protestant Church, to be christened, and the said Howe being at his House as the same Time, he desired Howe to lend him his Horse to go to Church; that Howe answered, he had rather his Horse should go to Hell, that Parson Brown could not Christen his Child because he was a Heretic, for that a Parson had christened a Sister of his once,

L. H. J. but the Priest was obliged to Christen her after, that the Father of the  
 Liber No. 47 said Howe had always lived, and died, in the Protestant Religion;  
 October 29 and further saith not.

October 26, 1753.

Thomas Reader.

Taken before me, Robert Jenkins Henry.

Sir,

As your Negro, Richard, is in a very dangerous Condition, and desires my Assistance to prepare him for his last End, I desire the Favour of your Permission for me to visit him: Sir, I shall wait your Pleasure at Mr. Mills's.

Richard Ellis.

Excuse, Sir, the Paper.

James Warrick, of Saint Mary's County, Planter, aged sixty five Years, or thereabouts, being sworn on the holy Evangelists of almighty God, deposeth and faith, That his Wife, Elizabeth Warwick, who is a Papist, told him, That Gerrard Jordon, a Protestant, was married to the Widow Mildred Mahony, who was a Papist, and that on the Day of Marriage, before the Solemnization thereof, at a Popish Chapel, in the said County, Richard Ellis, a Jesuit, or Popish Priest, who officiated there, obliged the said Jordon to swear, on a Book which he kissed, that he should renounce all Religion but the Popish Religion, and that he should bring up all his Children in that Persuasion, and that although the Predecessors of the said Jordon, known to the said Warwick, were Protestants; that he understands, and believes, that the said Jordon has never been at the Church of England, or held any Communion with that Church since, and goes constantly to Mass, as other Papists do.

p. 306 And the said Warwick further saith, That all the Servants, though Protestants, bought by the Papists, are perverted by the Jesuits, and Papists, in the said County; and believes, that for the most Part, there are three Papists for one Protestant in the Neighbourhood where he lives; and that within the Distance of ten Miles, there are three Popish Chapels, wherein their Worship is publicly performed; and further saith not.

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his  
 James I Warwick.  
 Mark.

Taken before me, Robert Jenkins Henry.

Robert Chesley, of Saint Mary's County, Gentleman, aged about forty Years, being sworn on the holy Evangelists of almighty God, deposeth, That some Time last March, he was at a Ball, in Company with Col. Fitzhugh, and sundry Others; in Conversation some Jokes happened between some Gentlemen of the Church of Rome, and said



Fitzhugh, about Religion, which appeared to this Deponent disagreeable, and seemed to rifle [rifle ?] a few of said Church; and, to avoid Discord, at that Time, this Deponent began to sing,

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Stand round my brave Boys,  
With Heart and with Voice, &c.

who was immediately broke in upon, by Mr. Charles Sewall, who said, I was a loyal Subject, and supposed I should stand by our King till I fell or he fell; to which this Deponent answered, take Care, those Words are some thing like Misprision of Treason, and that he would have him take Care what he said, for there was the Judge of the Court by, on which one William Leigh and William Cavenough, broke in abruptly and said, it was no Misprision of Treason, that this Deponent was a Scoundrel and sundry other aggravating Words too tedious to mention, wanted to fight, &c. On which this Deponent called on the Judge of the Court, Mr. Thomas Aisquith, to take Notice of them; and further saith not.

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Robert Chesley.

Sworn to before me, Thomas Jennings.

October 27, 1753.

That Clement Smith, Son of Mr. Walter Smith, deceased, told me, That Walter Hoxton, the Son of Hyde Hoxton, deceased, a Protestant, who intermarried with the Mother of said Clement Smith, was sent to St. Omer's to be there educated, and is there, as I am informed, at this Time; for that the said Clement told me lately, since the Death of said Hoxton, that his Mother would endeavour to prevail on him, the said Walter Hoxton, to remain longer at St. Omer's; and, I am told, that in the last Sickness of said Hyde Hoxton, Mr. Lake, the Incumbent of the Parish he lived in, constantly attended him, and that he died in the Communion of the Church of England, and was buried at the Parish Church aforesaid, by the said Lake.

Edward Gantt.

Which Report was read and ordered to lie on the Table.

A Bill intituled, An Act to repeal Part of an Act intituled, An Act for the Confirmation of the Lands therein mentioned to Richard Bennett, Esq; was read the first Time, and ordered to lie on the Table.

Capt. Williamson brings in, and delivers to Mr. Speaker, a Bill intituled, An Act to enable the Persons therein named to levy, assess, and apply the Money therein mentioned; which was read the first Time, and ordered to lie on the Table.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act to empower the several Courts within this Province to order Commissions for the Examination of Witnesses.

L. H. J. &c. indorsed, “By the Upper House of Assembly, October 29, 1753.  
 Liber No. 47  
 October 29 Read the second Time and will pass, the Words or Tobacco being inserted, in the last Line of the 2d Page, between Moneys and due: and in 4th Line of the last Page, after the Word Moneys, put or Tobacco.”

Which Bill was read here, and with the Amendments proposed, passed for ingrossing.

Col. Tasker from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act empowering the Incumbent and Vestrymen of Saint Michael’s Parish, in Talbot County, &c. and James Tilghman, and Anne his Wife, &c. indorsed “By the Upper House of Assembly, October 29, 1753. Read the second Time, and will pass.”

Which Bill was read here and passed for ingrossing.

On motion, That the Sum of Eight Pounds One Shilling and Seven Pence Half Penny Sterling, over paid by George Gale, Executor of Col. Levin Gale, as appears by the Report from the Committee of Accounts last Session, be repaid by the Commissioners of the Paper Currency Office, in Paper Money, to the said George Gale, at 55 per Cent, difference of Exchange from Sterling: Ordered, That the said Sum be paid by the Commissioners of the Paper Currency Office, and that a Message be prepared and sent to the Upper House to request their Concurrence.

The Bill intituled, An Act empowering the Justices of Baltimore County, to levy, &c. was read the second Time and passed, and sent to the Upper House by Mr. Govane, and Mr. Buchanan.

The following Message:

By the Lower House of Assembly, October 29, 1753.

May it please your Honours,

This House is willing to concur with all the necessary Amendments in the Bill herewith sent, but cannot agree that the Lord Proprietary should have the License Money and Fines thereby arising: As nothing can conduce more to the Advantage of any Country than Learning, which lays a Foundation for Virtue and Good Manners in Youth, and as the Schools already established within this Province for that Purpose have not a sufficient Maintainance for suitable Masters, so we hope you will agree to pass this Bill without insisting on the Application of the License Money and Fines, as you have proposed, and that they may go towards the Support of the respective County Schools, agreeable to this Bill.

Signed per Order, Michael Macnemara, Cl. Lo. Ho.

Sent to the Upper House with the Bill intituled, An Act for Licensing Hawkers, Pedlars, and Petty Chapmen, by Mr. Smallwood, and Mr. Handy.

Doctor Charles Carroll, from the Committee of Laws, delivers to L. H. J. Mr. Speaker an Address to the Governor, which was read, approved, Liber No. 47  
October 29 and ordered to be ingrossed.

The House adjourns till Tomorrow Morning 9 of the Clock. p. 309

Tuesday Morning, October 30, 1753.

October 30

The House met according to Adjournment, &c.

On Reading the second Time the Bill intituled, An Act for granting Fees to the several Justices of the County Courts, and for repealing that Part of the Act of Assembly which grants an Allowance of 80 lbs. of Tobacco per Day to the said Justices, the Question was put, Whether such Part of the Bill as repeals Part of the Act intituled, An Act for granting Fees to the several Justices of the County Courts, &c. be struck out, and that the several Fees mentioned in the said Bill, be applied to the County Use, or Not? Resolved in the Negative.

For the Negative.

Barnes,	Smallwood,	Pearce,
Mills,	Waggaman,	Frasier,
Williamson,	Gillis,	Hawkins,
Falconar,	Henry,	Hopper,
Carroll,	Handy,	Wilkinson,
Hall,	J. Goldsborough,	Tillotson,
Gassaway,	Oldham,	Purnell,
B. Mackall,	Hooper,	Selby,
Reynolds,	C. Goldsborough,	Evans,
Gantt,	Travers,	Scarborough,
Lee,	Gray,	Chaplin,
Stoddert,	Hyland,	Magruder.

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For the Affirmative.

Key,	Buchanan,	Holiday,
Harrison,	Paca,	D. Dulany,
Tilghman,	W. Dulany,	Crabb.

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The Question was put, Whether the Quantity of 2000 lbs. or 2500 lbs. of Tobacco shall be allowed, in the aforesaid Bill, to the Justices in each County, for laying the Levy, &c. Resolved, That the Quantity of 2000 lbs. of Tobacco be allowed.

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## For Two Thousand Pounds of Tobacco.

Mills,	Gillis,	Hopper,
Williamson,	J. Goldsborough,	Wilkinson,
Key,	Oldham,	Tillotson,
Falconar,	Tilghman,	Purnell,
Gassaway,	Hooper,	Selby,
B. Mackall,	Gray,	Evans,
Reynolds,	Buchanan,	Scarborough,
Gantt,	Paca,	D. Dulany,
Lee,	Frasier,	Crabb,
Stoddert,	Hawkins,	Chaplin,
Smallwood,	W. Dulany,	Magruder. 33

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## For Two Thousand Five Hundred Pounds of Tobacco.

Barnes,	Waggaman,	Travers,
Carroll,	Henry,	Hyland,
Hall,	Handy,	Pearce,
Harrison,	C. Goldsborough,	Holliday. 12

The Question was put, Whether there shall be a Clause added to the said Bill, for the Payment of the Justices of the Provincial Court, as well as the Justices of the County Courts, by Fees to be charged upon the several Suitors therein, or Not? Resolved in the Negative.

## For the Negative.

Barnes,	Stoddert,	Hyland,
Mills,	Smallwood,	Pearce,
Williamson,	Waggaman,	Hopper,
Falconar,	Gillis,	Tillotson,
Carroll,	Henry,	Purnell,
Hall,	J. Goldsborough,	Selby,
Gassaway,	Oldham,	Evans,
B. Mackall,	Hooper,	Scarborough,
Reynolds,	C. Goldsborough,	Chaplin.
Gantt,	Travers,	
Lee,	Gray,	31

## For the Affirmative.

Key,	Paca,	Holliday,
Harrison,	Frasier,	D. Dulany,
Handy,	Hawkins,	Crabb,
Tilghman,	W. Dulany,	Magruder.
Buchanan,	Wilkinson,	14

The Question was put, Whether the Bill intituled, An Act for granting Fees to the several Justices of the County Courts, and for repealing that Part of the Act of Assembly which grants an Allowance of 80 lbs. of Tobacco per Day, to the said Justices, shall pass, or Not? Resolved in the Affirmative.

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October 30

## For the Affirmative.

Barnes,	Smallwood,	Gray,
Mills,	Waggaman,	Hyland,
Carroll,	Gillis,	Pearce,
Hall,	Henry,	Hopper,
Gassaway,	Handy,	Tillotson,
B. Mackall,	J. Goldsborough,	Purnell,
Reynolds,	Oldham,	Selby,
Gantt,	Hooper,	Evans,
Lee,	C. Goldsborough,	Scarborough.
Stoddert,	Travers,	29

## For the Negative.

Key,	Paca,	D. Dulany,
Williamson,	Frasier,	Crabb,
Falconar,	Hawkins,	Chaplin,
Harrison,	W. Dulany,	Magruder.
Tilghman,	Wilkinson,	
Buchanan,	Holliday,	

Which Bill was accordingly indorsed, Read the second Time and will pass.

The House adjourns till 2 of the Clock Afternoon.

## Post-Meridiem.

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The House met according to Adjournment, &c.

The Bill intituled, An Act for regulating Judicial Proceedings, was read the second Time, and passed.

Mr. Stoddert brings in and delivers to Mr. Speaker, a Bill intituled, A Supplementary Act to the Act intituled, An Act to enable the Justices of Charles County, to Levy a Sum of Tobacco on the taxable Inhabitants of Port-Tobacco Parish in the said County, for the Purposes therein mentioned; which was read the first and second Time by an especial Order, and will pass.

Ordered, That Mr. John Goldsborough, Mr. Smallwood, and Capt. Hopper, do tax the Fees due to the Clerk for issuing, and to the Serjeant at Arms for serving, Summons on Witnesses, to testify on the Petition of Dr. Hamilton, relating to the Election for the City of Annapolis, and report the same to the House.

L. H. J. Mr. Buchanan brings in and delivers to Mr. Speaker, a Bill intitled, An Act to impower the Commissioners of Baltimore-Town, to make an Addition of Thirty-two Lots or thereabouts thereto, to be laid out into Lots; which was read the first Time, and ordered to lie on the Table.

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October 30

The House adjourns till the morrow Morning at 8 of the Clock.

October 31

Wednesday Morning, October 31, 1753.

The House met according to Adjournment, &c.

Mr. J. J. Mackall appeared in the House.

On motion, that a Bill be brought in, To lay a Duty of Three Halfpence Sterling per Hogshead, on all Tobacco exported out of this Province, for the Use of the Governor; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The Bill intituled, An Act for regulating Judicial Proceedings; and the Bill intituled, An Act for granting Fees to the several Justices of the County Courts, &c. were sent to the Upper House by Mr. Edmunson, and Mr. Gray.

The Bill intituled, A Supplementary Act to the Act intituled, An Act to enable the Justices of Charles County, to Levy, &c. was sent to the Upper House by Mr. Smallwood, and Mr. Travers.

On motion, Leave given, to bring in a Bill, For Processioning of Lands: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On Motion, Leave given, to bring in a Bill intituled, An Explanatory Act to the Act intituled, An Act to repeal a certain Act of Assembly intituled, An Act to prevent the Growth of Popery within this Province: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

p. 312

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the following Message.

By the Upper House of Assembly, October 31, 1753.  
Gentlemen,

In answer to your Message, sent with the Bill for Licensing Hawkers and Pedlars, &c. we must observe to you, That the Fines and Forfeitures arising on the Breach of Penal Laws, are the undoubted Right of his Lordship the Lord Proprietary, for the Support of Government, and that they have hitherto been so applied, unless in some particular Cases, where his Lordship, for special Reasons, hath condescended to the Application of them otherways. That in the first Act passed for the Purposes mentioned in this Bill, the License Money, Fines, and Forfeitures, were to his Lordship, and we

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October 31

see no Reason for any Alteration at this Time: For although we agree with you as to the Advantages of Learning, yet under the Circumstances of the Schools established within this Province, we do not apprehend any such Advantage can accrue to them, from what you propose by this Bill, as to induce us to the Application of the License Money, Fines, and Forfeitures, arising thereon, to that Use, since the Support of Government is at least necessary, and therefore we hope you will agree to our Amendments, and pass the Bill accordingly.

Signed per Order, J. Ross, Cl. Up. Ho.

And the Bill intituled, An Act to License Hawkers, Pedlars, and petty Chapmen.

Mr. Key brings in and delivers to Mr. Speaker, a Bill intituled, An Act to enable the Parishioners of Part of St. Andrew's Parish, in St. Mary's County, to choose Vestrymen and Churchwardens, and to enable the Visitors of the County-School, in said County, to choose Visitors; which Bill was read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by Mr. Mills and Mr. Chapline.

On motion, Leave given, to bring in a Bill, For the Naturalization of Foreigners coming into this Province: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in a Bill, For reducing the Toll taken by the Proprietors of Water-Mills: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. p. 313

On motion, Leave given, to bring in a Bill, To prevent Non-Residents from Hunting in the Woods, and to debar Persons from setting the Woods on Fire: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment, &c.

On motion, Leave given, to bring in a Bill intituled, A Supplementary Act to an Act intituled, An Act to aid the Title of Purchasers of Lots in Princess Anne Town, in Somerset County: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in an Explanatory Bill to the Act, For the Marking of Highways, and making the Heads of Rivers, Creeks, Branches, and Swamps, passable for Horse and Foot: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

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October 31

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of the Vestrymen and Churchwardens of Saint Mary's White-Chapel Parish, in Dorchester County; and, the Petition of the Proprietors of the Lots in George Town, on Rock-Creek, in Frederick County; severally indorsed, "By the Upper House of Assembly, Read and referred to the Consideration of the Lower House of Assembly."

Col. Hammond, from the Upper House, delivers to Mr. Speaker, the following Message.

By the Upper House of Assembly, October 31, 1753.

Gentlemen,

Upon reading the Bill intituled, An Act for repairing the Public Roads in this Province; we are fully satisfied, that the fines and Forfeitures arising upon the Breach of all Penal Laws, are the undoubted Right of the Lord Proprietary, for the Support of Government; yet, as we are of Opinion that such a Law will be of General Use and Benefit to the People, we have assented to the Bill as it now stands.

Signed per Order, J. Ross, Cl. Up. Ho.

And the Bill intituled, An Act for repairing the Public Roads in this Province, indorsed, "Read the second Time and will pass."

Which Bill was read here, and passed for ingrossing.

p. 314 Col. Tasker, from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act empowering the Justices of Baltimore County, to levy on the taxable Inhabitants of Saint Paul's Parish, in the said County, &c. indorsed, "By the Upper House of Assembly, October 31, 1753. Read the second Time, and will not pass."

On motion, Leave given, to bring in a Bill, To repeal the Act in 1704, and the Act in 1719, relating to Writs of Ad quad Damnum: Ordered, That the Committee of Laws do prepare and bring a Bill accordingly.

On motion, Leave given, to bring in a Bill, For the better Regulating of the Justices of Peace and Constables, relating to granting and serving of Warrants for small Debts: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in a Bill, To abolish June County Courts: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for reducing the Allowances of the Members of the Upper and Lower Houses of Assembly, indorsed, "By the Upper House of Assembly, October 31, 1753. Read the second Time and will pass, with the following Amendments; leave out the Words, and assessing the public Levy, in the Title; instead of the



Preamble to the Bill, insert the following One, Whereas the Lessening the yearly Allowances to the Members of both Houses of Assembly will be a great Ease to the People of this Province, in the Payment of their public Dues; leave out the rest of the Bill, after the Words no more, in the 11th Line of the first Page, to the Word repealed, in the last Line but three of the second Page.

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“ Signed per Order, J. Ross, Cl. Up. Ho.”

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, A Supplementary Act to an Act to prevent the injuring Harbours, &c. indorsed, “ By the Upper House of Assembly, October 31, 1753. Read the second Time, and will not pass ”

On motion, Leave given to bring in a Bill, To repeal the Act relating to the Breed of Deer; and to bring in a Bill, For the more effectual Preservation of the Breed of Deer: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. p. 315

On motion, Leave given, to bring in a Bill, For the Relief of Persons that are accused of Crimes and thereof acquitted: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till the morrow Morning 8 of the Clock.

Thursday Morning, November 1, 1753.

November 1

The House met according to Adjournment, &c.

Mr. Rasin, Major Ridgely, and Mr. Bond, appeared in the House.

The Bill intituled, An Act to empower the Commissioners of Baltimore-Town, to make an Addition thereto of Thirty Two Acres of Land, &c. was read the second Time and passed, and sent to the Upper House by Mr. Govane, and Mr. Paca.

The following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We beg Leave to lay before your Excellency, the Copy of a Report, concurred to by this House, from the Committee of Grievances and Courts of Justice, in Relation to Mr. Thomas Muir, the late Receiver of his Lordship's Quit-Rents, in Dorchester County, who has greatly oppressed Mr. Roger Hooper of the same County, by taking from him a large Sum of Money, in a very illegal and oppressive Manner, as by an Account, and the Resolves of this House hereunto annexed, may appear; to which he has been heard at the Bar of this House. And, to the End that so Manifest an Oppression may not go unpun-

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November 1

ished; we intreat your Excellency, that you would be pleased to direct the Attorney General, to prosecute the said Muir for the Extortion aforesaid, whereby others may be deterred, for the Future, from committing the like evil Practices.

Was read and assented to, and signed, on Behalf of the House, by the Honourable Speaker.

Ordered, That Major Barnes and Mr. Tilghman, do acquaint his  
p. 316 Excellency the Governor, that this House hath prepared an Address to him, and desires to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he would be ready to receive the Address, at Eleven of the Clock, in the Conference Chamber.

Ordered, That Mr. Smallwood, and Four more, do present the Address to his Excellency.

Capt. Gassaway, from the Committee appointed to enquire into the Facts contained in William Wells and Rebecca his Wife, their Petition, delivers to Mr. Speaker the following Report.

By the Committee appointed by the Honourable the Lower House of Assembly, to enquire into the Truth of the Facts set forth in the Petition of William Wells, and Rebecca his Wife.

October 31, 1753.

Your Committee find, That William Marshall, of Prince George's County, by his last Will and Testament, in Writing, bearing Date the 23d of April 1734, did, amongst other Things therein contained, devise unto his two Daughters, Sarah and Rebecca Marshall, and the Heirs of their Body lawfully begotten, all that Tract of Land called Charley, except One Hundred Acres to his Son Thomas Marshall, and in Default of such Heirs of them, or either of them, then to his Son Thomas, and his Heirs for ever; whereby the said Rebecca Marshall, now Wife of the Petitioner William Wells, hath Right to One Hundred and Thirty Acres, Part of the said Tract of Land called Charley.

We find a Deed from James Maxwell, Son and Heir of James Maxwell of Baltimore County, to Lucy Evans, Executrix of Lewis Evans, of Anne Arundel County, for a Tract of Land, containing Two Hundred Acres, lying on the West Side of Chesapeak Bay, and on the South Side of Herring Creek, bearing Date the 19th of May, 1691, duly executed, acknowledged and enrolled, which Land was patented to William Parker, September the 4th, 1666, as appears by a Recital in the said Deed, and sold by him the said William Parker, to James Maxwell. Father of the above mentioned James Maxwell, the First Day of November, 1667, as also appears by a Recital in the said Deed.

We also find a Deed of Gift, from Lucy Evans, to her two Daughters, Elisabeth and Sarah Evans, for the aforesaid Land, bear-

ing Date the 7th Day of September, 1691, duly executed and enrolled, and afterwards recorded in the Special Court Records, of Ann Arundel County. We find that the said Elisabeth Evans, and Sarah her Sister, who intermarried with a certain Samuel Griffith, by their joint Petition to his Lordship's Agent, obtained a Warrant of Resurvey on the said Two Hundred Acres of Land, and included therein Ninety Three Acres of Surplus, and obtained a Patent for the Quantity of Two Hundred and Ninety Three Acres, called Evan's-Purchase, bearing Date the 16th Day of September, 1720, and that a Division of the said Land hath been made. We also find a Deed from Elisabeth Faudrie, (who is the same Elisabeth Evans, one of the Daughters of Lucy Evans abovementioned,) to William Wells, of Anne Arundel County, bearing Date the 19th of April, 1753, duly executed, acknowledged and recorded, for One Hundred Four Acres and an Half Acre, of her Part of the Land, being Part of the said Two Hundred and Ninety Three Acres. Your Committee also find a Deed from Benoni Holliday, of Anne Arundel County, to Henry Child, the Son of Henry Child, junr. bearing Date the 29th of August, 1730, duly acknowledged and recorded, for Fifty Acres of Land, Part of a Tract called Trent, also lying in Anne Arundel County; which said Benoni was Heir at Law to his Father William Holliday, who was in Possession of the said Fifty Acres of Land, upwards of Forty Years, and those who claimed under him were always since, in quiet Possession thereof. We find a Deed, from the said Henry Child, to William Wells the Petitioner, for the same Fifty Acres of Land, Part of Trent, bearing Date the 22d Day of June, 1743, duly acknowledged and recorded. We also find, that a certain Joseph Morely had the whole Tract of Land, called Trent, containing Four Hundred and Fifty Acres, patented to him, in the Year 1666, but how William Holliday came by his Right to the Fifty Acres of Land aforesaid, Part of Trent, does not appear to your Committee. And, we likewise find, upon Enquiry into the Value of the said several Lands, that the One Hundred and Four Acres of Land and an Half Acre, Part of Evans's-Purchase, as aforesmentioned, and the Fifty Acres, Part of the Land called Trent, are as commodious and of equal Value with the aforesaid One Hundred and Thirty Acres of Land called Charley; all which is humbly submitted to the Consideration of your Honourable House.

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Signed per Order, William Wilkins, Clerk.

On reading the said Report, the House concurs therewith: Ordered, That Leave be given to the Petitioners, to bring in a Bill according to the Prayer of their Petition.

Mr. Key, from the Committee of Laws, delivers to Mr. Speaker, a Bill intituled, An Act for raising a Duty of Three Halfpence Sterling per Hogshead, on all Tobacco exported out of this Province, for

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November 1

the Use of the Governor; which was read the first Time, and ordered to lie on the Table.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for the speedy Recovery of small Debts out of Court, &c. indorsed "By the Upper House of Assembly, November 1, 1753. Read the second Time, and will pass, with the following Amendments; instead of Three Pounds Current Money in the 7th, 28th, and 32d Lines of the Bill, put Fifty Shillings Current Money."

Which Bill was read here, and with the Amendments proposed, passed for ingrossing.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of the Rector, the Vestrymen, and Churchwardens of Saint Anne's Parish, in Anne Arundel County; indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly,"

Which said Petition, praying that a Sum of Money, or Tobacco, may be raised by a Public Levy, for erecting a commodious Building, wherein to fix a Bell and Clock, for the Use of the Public; was here read, and ordered to lie on the Table.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, A Supplementary Act to the Act intituled, An Act to enable the Justices of Charles County, to Levy, &c. indorsed, "By the Upper House of Assembly, November 1, 1753. Read the second Time and will pass." Which was read here and passed for ingrossing.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

The House met according to Adjournment, &c.

A Bill intituled, An Act for the Relief of Thomas Barkley, a languishing Prisoner, &c. was read the first Time, and ordered to lie on the Table.

The Petition of the Vestrymen and Churchwardens of Saint Mary's White-Chapel Parish, praying that the Parishioners may be assessed in the Sum of 550 l. Current Money, to be applied to the Building a new Church; was read and rejected.

The following Message:

By the Lower House of Assembly, November 1, 1753.  
May it please your Honours,

By a Report from the Committee of Accounts, made last Session, a Copy of which we sent to your Honours, it appears, that Col. George Gale, Administrator of Levin Gale, has over paid a Debt due to the Province from the aforesaid Levin Gale, the Sum of Eight

Pounds Seven Shillings and Four Pence Half-penny Sterling, for the Repayment of which we then proposed to your Honours, that the Commissioners of the Paper Office should draw on the Trustees in London for that Sum, and your Honours agreed thereto, since which the Commissioners aforesaid, on an Application made to them by the aforesaid George Gale, (in Pursuance of an Order of both Houses), object that they are not sufficiently empowered, by the Paper Currency Act, to make such Draft. We therefore propose that the said Commissioners be directed to discharge the Debt aforesaid in Current Money, at 55 per Cent, difference of Exchange between the Sterling and Current Money, with which if your Honours agree, an Ordinance may be made out accordingly.

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November 1

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Waggaman and Mr. Handy.

Mr. Hawkins brings in, and delivers to Mr. Speaker, a Bill intituled, An Act empowering the Justices of Prince George's County, to levy on the taxable Inhabitants of Saint Paul's Parish, in the said County, a Sum of Current Money for the Uses therein mentioned; which was read the first Time and ordered to lie on the Table.

Mr. Smallwood, from the Committee appointed to tax the Fees due to the Officers of the Lower House of Assembly on the controverted Election for the City of Annapolis, delivers to Mr. Speaker the following Report, viz. p. 320

By the Committee appointed by the Honourable the Lower House of Assembly, to tax the Cost accruing due on the controverted Election for the City of Annapolis, between Messieurs Alexander Hamilton, and George Steuart, November 1, 1753. Who proceeded to make the following Allowances, viz.

To the Clerk of this Honourable House, for issuing Summons's for Seventeen Persons at the Request of Alexander Hamilton, at 3 s. per, is	£. 2. 11. 0.
To ditto, for issuing Summons's for 13 Persons at the Request of George Steuart, at 3 s. per, is	1. 19. 0.
To Mr. George Johnson, Serjeant at Arms, for serving the Summons's on the 17 Persons, at 2 s. ———	1. 14. 0.
To ditto, for serving Summons's on 13 Persons, at 2 s. per is ——— ——— ——— ———	1. 6. 0.

Which is humbly submitted to the Consideration of your Honourable House. £. 7. 10. 0.

Signed per Order, William Wilkins, Clerk.

The House concurs with the Report.

Ordered, That Doctor Hamilton, and Doctor Steuart, do pay to the Clerk of this House, and to the Serjeant, the several Fees as taxed by the Committee appointed.

The House adjourns till the morrow Morning at 8 of the Clock.

L. H. J.  
Liber No. 47  
November 2

Friday Morning, November 2, 1753.

The House met according to Adjournment, &c.

Capt. Earle, and Mr. Gresham, appeared in the House.

The Bill intituled, An Act empowering the Justices of Prince George's, to levy on the taxable Inhabitants of Saint Paul's Parish, &c. The Bill intituled, An Act to enable the Persons therein named, to levy, assess, &c. And, the Bill intituled, An Act for the Relief of Thomas Barkley, &c. were severally read the second Time and passed, and sent to the Upper House by Mr. B. Mackall, and Mr. Rasin.

The House adjourns till 2 of the Clock Afternoon.

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Post-Meridiem.

The House met according to Adjournment, &c.

Col. Hammond, from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for regulating Judicial Proceedings; and, the Bill intituled, An Act to enable the Parishioners of Part of St. Andrew's Parish, in St. Mary's County, to choose Vestrymen, &c. indorsed, "By the Upper House of Assembly, November 2, 1753. Read the second Time, and will pass."

And, the Bill intituled, An Act to empower the Commissioners of Baltimore-Town, to make an Addition thereto, &c. indorsed, "By the Upper House of Assembly, November 2, 1753. Read the second Time and will pass, the following Clause being added thereto: Saving to his most sacred Majesty his Heirs and Successors, to the Right Honourable the Lord Proprietary his Heirs and Successors, and all Bodies politic and corporate, and all others not mentioned in this Act, their several and respective Rights.

Which Bills were severally read here, and passed for ingrossing.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker, a Bill intituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; which was read the first Time, and ordered to lie on the Table.

The House adjourns till the morrow Morning at 8 of the Clock.

November 3

Saturday Morning, November 3, 1753.

The House met according to Adjournment, &c.

A Bill intituled, An Act for the Adjournment and Continuance of Talbot County Court; was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House by Mr. Tilghman, and Mr. Gray.

On reading the second Time the Bill intituled, An Act for raising a Duty of Three Halfpence Sterling per Hogshead, &c. The Question was put, Whether the said Bill do pass, or Not? Resolved in the Affirmative.

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Liber No. 47  
November 3

For the Affirmative.

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Bond,	J. Goldsborough,	Earle,
Barnes,	Oldham,	W. Dulany,
Mills,	Edmunson,	Hamilton,
Key,	Tilghman,	Hopper,
Williamson,	Hooper,	Wilkinson,
Rasin,	C. Goldsborough,	Tillotson,
Gresham,	Travers,	Holliday,
Falconar,	Gray,	Purnell,
Hall,	Govane,	Evans,
Harrison,	Buchanan,	Selby,
Waggaman,	Ridgely,	Scarborough,
Gillis,	Paca,	D. Dulany.
Henry,	Hyland,	
Handy,	Pearce,	

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For the Negative.

Carroll,	Gantt,	Frasier,
Gassaway,	Lee,	Hawkins,
J. J. Mackall,	Stoddert,	Crabb,
B. Mackall,	Smallwood,	Chapline,
Reynolds,	Addison,	Magruder.

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Which Bill was accordingly indorsed, Read the second Time and will pass, and was sent to the Upper House by Doctor Hamilton, and Mr. W. Dulany.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns till Monday Morning at 9 of the Clock.

Monday Morning, November 5, 1753.

November 5

The House met according to Adjournment, &c. the Members were called, and all appeared as on Saturday, except Mr. Rasin, Mr. Crabb, and Mr. Buchanan.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.  
Liber No. 47  
November 5

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Murdock appeared in the House.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill intituled, An Act for the Adjournment and Continuance of Talbot County Court; indorsed, "By the Upper House of Assembly, November 5, 1753. Read the second Time, and will pass."

Which Bill was read here, and passed for ingrossing.

p. 323 Mr. Stoddert brings in and delivers to Mr. Speaker, a Bill intituled, An Act to cut off the Entail of Part of a Tract of Land called Charley, now lying in Charles and Prince George's Counties, and to Entail Lands of equal Value in lieu thereof; which Bill was Read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by Capt. Lee, and Mr. Hawkins.

Mr. Charles Goldsborough from the Committee of Laws, delivers to Mr. Speaker, an ingrossed Bill intituled, An Act for the Adjournment and Continuance of Talbot County Court; which was read and assented to, and sent to the Upper House with the Paper Bill thereof, by Mr. Charles Goldsborough and Mr. Edmunson.

Col. Hammond from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for raising a Duty of Three Halfpence Sterling per Hogshead on all Tobacco exported out of this Province, for the Use of the Governor; the Bill intituled, An Act empowering the Justices of Prince George's County, to Levy on the taxable Inhabitants of St. Paul's Parish, &c. the Bill intituled, An Act for the Relief of Thomas Barkley, &c. severally indorsed, "By the Upper House of Assembly, November 5, 1753. Read the second Time, and will pass." And a Bill intituled, A Supplementary and Explanatory Act to an Act intituled, An Act for the more effectual Punishment of Negroes and other Slaves, &c. indorsed, "By the Upper House of Assembly, November 3, 1753. Read the first Time, and ordered to lie on the Table; and (thus) By the Upper House of Assembly, November 5, 1753. Read the second Time, and will pass."

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Paper Bill intituled, An Act for the Adjournment and Continuance of Talbot County Court; indorsed, "By the Upper House of Assembly, November 5, 1753. The ingrossed Bill, whereof this is the Original, is read and assented to."

p. 324 Col. Hammond from the Upper House, acquaints Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately in the Upper House, to see the ingrossed Bill intituled, An Act for the Adjournment and Continuance of Talbot County Court, passed into a Law: Mr. Speaker left the Chair, and attended by the Members of the Lower House, went to the Upper House,



where his Excellency the Governor passed the ingrossed Bill intituled, An Act for the Adjournment and Continuance of Talbot County Court into a Law, in the usual Manner. Mr. Speaker (with the Members of the Lower House) returned and re-assumed the Chair.

L. H. J.  
Liber No. 47  
November 5

The Bill intituled, An Act for raising a Duty of Three Halfpence, &c. for the Use of the Governor; the Bill intituled, An Act empowering the Justices of Prince George's County, to Levy, &c. and the Bill intituled, An Act for the Relief of Thomas Barkley, &c. were severally read, and passed for ingrossing.

The Bill intituled, A Supplementary and Explanatory Act to an Act intituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act intituled, An Act to prevent the tumultuous Meetings and other Irregularities of Negroes and other Slaves, was read the first Time, and ordered to lie on the Table.

Major Hall from the Committee of Laws, delivers to Mr. Speaker a Bill intituled, A Supplementary Act to an Act intituled, An Act to aid the Title of Purchasers of Lots in Princess-Anne-Town, in Somerset County; and a Bill intituled, An Explanatory Act to the Act intituled, An Act for Marking of Highways, and making the Heads of Rivers, Creeks, Branches, and Swamps, passable for Horse and Foot; which Bills were severally read the first Time, and ordered to lie on the Table.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

His Majesty out of tender Regard for the Lives and Fortunes of his Subjects in this, as well as the neighbouring Provinces, has commanded the Secretary of State, to advise us of the Danger of suffering a foreign Power to intrude and make Settlements on any of his Majesty's American Dominions: Our Interest in such an Event, tho' his Majesty had not been pleased to signify his Royal Pleasure, would make this Affair worthy our most serious Consideration: But when you see by that Letter from the Earl of Holderness, that should the neighbouring Colonies make Application to us for Assistance, I might be under a Necessity of convening you, without Respect to the Inclemency of the Season, or other Inconveniences, unless before the Conclusion of this Session, a Fund be established for such Uses. I make no doubt but the Consideration of the vast Expence extraordinary Meetings of Assembly occasion to the Country, and also that it is not so easy and practicable to raise Money upon an Emergency as properly to apply it, will induce you to consider at this Time our Indian Allies, whose Affections the French will endeavour by every Artifice to alienate from our Interest: And

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L. H. J.  
Liber No. 47  
November 5

on this Occasion my Duty obliges me earnestly to recommend to you the Revival of the Law for Arms and Ammunition, without which, we shall, in Case of an Attack, be unable to defend our private Properties, much less to join the neighbouring Colonies, to manifest our Duty and Loyalty, by repelling the Violence of an Enemy, and preventing an Invasion or Attempt, upon his Majesty's Dominions on this Continent.

Hor.<sup>o</sup> Sharpe.

And the following Letter

Whitehall August 20.<sup>th</sup> 1753

Sir.

His Majesty having received information of the march of a Considerable Number of Indians not in Alliance with the King, supported by some regular European Troops intending as it is Apprehended to committ some Hostilities on parts of his Majestys dominions in America. I have the Kings commands to send you this Intelligence and to direct you to use your utmost Diligence to learn how far the same may be well grounded and to put you upon your guard that you may at all Events be in a Condition to resist  
p. 326 any Hostile Attempts that may be made upon any parts of his Majesty's Dominions within your Government and to direct you in the Kings name that in Case the Subjects of any foreign province or state should presume to make any Incroachment on the Limits of his Majestys Dominions, or to erect forts on his Majestys Lands or committ any Other Act of Hostility you are immediately to represent the Injustice of such proceedings and to require them forthwith to desist from any such unlawful undertaking but if notwithstanding your Requisition they should still persist you are then to draw forth the Armed force of the province and to use your best endeavours to repell force by force, but as it is his Majestys Determination not to be the Aggressor I have the Kings Commands most Strictly to enjoin you not to make use of the Armed force under your direction excepting within the undoubted Limits of his Majestys Dominions. and whereas it may be greatly conducive to his Majestys Service that all his provinces in America should be aiding and Assisting each other in Case of any Invasion I have it particularly in Charge from his Majesty to acquaint you that it is his Royal will and pleasure that you should keep an Exact Correspondence with all his Majestys Governors on the Continent and in Case you shall be informed by any of them of any Hostile Attempts you are immediately to Assemble the General Assembly within your Government and lay before them the necessity of a Mutual Assistance & engage them to grant such Supplys as the Exigency of Affairs may require. I have wrote by this Conveyance to all his Majestys Governors to the same purpose

I am Sir your most Obedient  
Humble Servant  
Holderness

The House adjourns till the morrow Morning at 8 of the Clock.

Tuesday Morning, November 6, 1753.

L. H. J.  
Liber No. 47  
November 6

The House met according to Adjournment, &c. all appeared as Yesterday, except Major Barnes and Capt. Evans.

Mr. Crabb, and Mr. Buchanan, appeared in the House.

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Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the following Message, viz.

By the Upper House of Assembly, November 6, 1753.  
Gentlemen,

This House is willing that the Sum of Eight Pounds Seven Shillings and Four Pence Halfpenny Sterling, due to Col. George Gale, as Administrator of Levin Gale, Esq; be paid by the Commissioners of the Paper Currency Office, in Current Money, at 55 per Cent, difference of Exchange, between Sterling and Currency.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till the morrow Morning at 8 of the Clock.

Wednesday Morning, November 7, 1753.

November 7

The House met according to Adjournment, &c.

Mr. Rasin, appeared in the House.

On reading the second Time the Bill intituled, An Act for amending the Staple of Tobacco, &c. The Question was put, Whether, for each Hogshead of Tobacco, Eight or Nine Pence shall be paid for Warehouse Rent? Resolved that Nine Pence per Hogshead be paid.

For Nine Pence.

Bond,	Gillis,	Travers,
Barnes,	Henry,	Gray,
Mills,	Handy,	Pearce,
Key,	J. Goldsborough,	Earle,
Williamson,	Oldham,	Wilkinson,
Stoddert,	Edmunson,	Holliday,
Smallwood,	Tilghman,	Selby,
Harrison,	Hooper,	Scarborough.
Waggaman,	C. Goldsborough,	26

For Eight Pence.

Gresham,	Gantt,	Murdock,
Falconar,	Lee,	Frasier,
Carroll,	Govane,	Hawkins,
Hall,	Buchanan,	W. Dulany,
Gassaway,	Ridgely,	Tillotson,
J. Mackall,	Paca,	D. Dulany,
B. Mackall,	Hyland,	Chaplin,
Reynolds,	Addison,	Margruder. 24

The House adjourns till 2 of the Clock Afternoon.

L. H. J.  
Liber No. 47  
November 7

Post Meridiem.

The House met according to Adjournment, &c.

p. 328 The Bill intituled, An Explanatory Act to the Act intituled, An Act for the Marking of Highways, &c. And, the Bill intituled, A Supplementary Act to an Act intituled, An Act to aid the Title of Purchasers of Lots in Princess-Anne Town, &c. were severally read the second Time and passed, and sent to the Upper House by Mr. J. J. Mackall, and Mr. Paca.

The Question was put, Whether the Commissary General's Fees, as now mentioned in the Bill intituled, An Act for amending the Staple of Tobacco, &c. shall be allowed or Not? Resolved in the Affirmative.

For the Affirmative.

Williamson,	Smallwood,	Ridgely,
Rasin,	Waggaman,	Paca,
Gresham,	Gillis,	Hyland,
Carroll,	Handy,	Pearce,
Hall,	J. Goldsborough,	Addison,
Gassaway,	Oldham,	Murdock,
J. Mackall,	Edmunson,	Frasier,
B. Mackall,	Hooper,	Hawkins,
Reynolds,	C. Goldsborough,	Chaplin,
Gantt,	Travers,	Magruder.
Lee,	Gray,	
Stoddert,	Govane,	

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For the Negative.

Bond,	Henry,	Hamilton,
Barnes,	Tilghman,	Hopper,
Mills,	Buchanan,	Wilkinson,
Key,	Earle,	Tillotson,
Harrison,	W. Dulany,	Holiday.

15

The House adjourns till the morrow Morning at 8 of the Clock.

November 8

Thursday Morning, November 8, 1753.

The House met according to Adjournment, &c.

Capt. Addison, from the Committee appointed to inspect into the State and Condition of the Arms and Ammunition, and Accounts relating thereto, delivers to Mr. Speaker, the following Report, viz.

p. 329 By the Committee appointed to inspect the Arms and Ammunition, and Accounts relating thereto, Nov. 7, 1753.

Your Committee having inspected the Arms and Ammunition in the City of Annapolis, do find the same as follows; to wit,

In the Council Chamber, 255 Muskets, 131 Carbines, 71 Pistols, 20 Trumpets, 7 Drums, 74 Swords, 44 Cartouch Boxes and Belts, 10 old ditto without Belts, 49 Halberts and Pikes, 46 Buckets and Slings, 50 Sword Blades, and 18 Daggers; all of which are in good Order.

L. H. J.  
Liber No. 47  
November 8

In the Room over the Conference Chamber, 72 old Muskets and Carbines much out of Repair, 33 Pair of Holsters, 155 Swords, 25 Bayonets, 75 Sword Belts, 16 old Cutlasses, 6 new Drums, 34 Pistols, 3 Chests and a Half of Match, 15 Pair of Drumsticks: Also the following new Arms; to wit, 12 Brass Trumpets with Brass Mouth-pieces, 12 Drums and Sticks compleat, 30 Carbines with Buff Slings, 30 Muskets, 30 Bays Cases, 30 Carbines with Bayonets, 30 Scabbards, and 30 List Cases; out of which we find, that in July 1751, there was delivered out to Doctor George Steuart, by the Order of Samuel Ogle, Esq; then Governor, as appears by said Steuart's Receipt, 11 new Carbines, 11 Buff Slings, 11 Bayonets, and 11 Scabbards, which are not since returned.

In the Room under the Conference Chamber, 2700 lbs. of Ball, 300 lbs. of large Shot, and 980 lbs. of Bar Lead.

In the Powder House, 134 Sword Belts, 42 Carbine Slings, Half a Box of Flints, 20 Half Barrels of new Powder, 9 Half Barrels of old ditto, 3 Barrels ditto, 110 Barrels of Shot, and 2 large Half Barrels of ditto.

There are also 10 old Cannon Guns lying on the Point near Mr. Patrick Creagh's Warehouse, not fit for Use, and 15 new ditto much rustied, without Carriages, and will in all Probability be much damaged, if not speedily prevented.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Benjamin Beall, Cl. Com.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Petition of John Shubbard, a languishing Prisoner in Kent County Goal; indorsed, "By the Upper House of Assembly, November 8, 1753. Referred to the Consideration of the Lower House of Assembly." P. 330

Which Petition was here read and granted.

Col. Tasker from the Upper House, delivers to Mr. Speaker the Bill intituled, A Supplementary Act to an Act intituled, An Act to aid the Title of Purchasers of Lots, &c. the Bill intituled, An Act to cut off the Entail of a Tract of Land called Charley, &c. severally indorsed, "By the Upper House of Assembly, November 8, 1753. Read the second Time, and will pass." And a Bill intituled, An Act to prevent the injuring Patapsco River; indorsed, "By the Upper House of Assembly, November 7, 1753. Read the first Time, and

L. H. J. ordered to lie on the Table: And thus By the Upper House of  
 Liber No. 47 Assembly, November 8, 1753. Read the second Time, and will pass.”  
 November 8

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment.

The Bill intituled, An Act to prevent the injuring of Patapsco River, was read the first Time; and on the second reading of the said Bill, by an especial Order, the Question was put, Whether the Bill intituled, An Act to prevent the injuring of Patapsco River, do pass, or Not? Resolved in the Negative.

For the Negative.

Rasin,	Gillis,	Addison,
Carroll,	Handy,	Murdock,
Gassaway,	J. Goldsborough,	Frasier,
J. Mackall,	Edmunson,	Hawkins,
B. Mackall,	Tilghman,	Hopper,
Reynolds,	Travers,	Wilkinson,
Gantt,	Gray,	Tillotson,
Lee,	Govane,	Scarborough,
Stoddert,	Paca,	Chapline,
Smallwood,	Hyland,	Magruder.
Harrison,	Pearce,	
Waggaman,	Earle,	

34

For the Affirmative.

Bond,	Gresham,	Buchanan,
Mills,	Falconar,	Ridgely,
Barnes,	Hall,	W. Dulany.
Key,	Henry,	
Williamson,	Oldham,	

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p. 331 The Bill intituled, An Act to cut off the Entail of a Tract of Land called Charley, &c. and the Bill intituled, A Supplementary Act to the Act intituled, An Act to aid the Title of Purchasers of Lots, &c. were severally read and passed for ingrossing.

On reading the second Time the Bill intituled, An Act for amending the Staple of Tobacco, &c. the Question was put, Whether the said Bill do pass, or Not? Resolved in the Affirmative.

For the Affirmative.

L. H. J.  
Liber No. 47  
November 8

Bond,	Gillis,	Addison,
Barnes,	Henry,	Murdock,
Mills,	Handy,	Frasier,
Key,	J. Goldsborough,	Hawkins,
Williamson,	Oldham,	W. Dulany,
Rasin,	Edmunson,	Hopper,
Hall,	Tilghman,	Wilkinson,
B. Mackall,	Hooper,	Holliday,
Gantt,	C. Goldsborough,	Selby,
Lee,	Travers,	Scarborough,
Stoddert,	Gray,	D. Dulany,
Smallwood,	Hyland,	Chapline.
Harrison,	Pearce,	
Waggaman,	Earle,	40

For the Negative.

Gresham,	J. Mackall,	Ridgely,
Falconar,	Reynolds,	Paca,
Carroll,	Govane,	Tillotson,
Gassaway,	Buchanan,	Magruder. 12

Which Bill was accordingly indorsed, Read the second Time and will pass, and was sent to the Upper House by Mr. Key, and Mr. W. Dulany.

Mr. Murdock brings in, and delivers to Mr. Speaker, a Bill intituled, An Act empowering the Justices of Prince George's County, to levy on the taxable Inhabitants of the said County, a Sum of Current Money for the Uses therein mentioned; which was read the first Time and ordered to lie on the Table.

The House adjourns till the morrow Morning at 8 of the Clock.

Friday morning, November 9, 1753.

November 9

The House met according to Adjournment, &c. the Members were called and all appeared as Yesterday, &c.

No. 1 The ingrossed Bill intituled, An Act for the Trial of all Matters of Fact, &c.

No. 2 The ingrossed Bill intituled, An Act for the Advancement of Justice.

No. 3 The ingrossed Bill intituled, An Act continuing an Act intituled, p. 332 An Act for the Gauge of Barrels for Pork, &c.

No. 4 The ingrossed Bill intituled, An Act continuing an Act intituled, An act to remedy some Evils, &c.

No. 5 The ingrossed Bill intituled, An Act continuing an Act intituled, An Act to prevent the ill Practices of Sheriffs in the Collecting, &c.

- L. H. J.  
Liber No. 47  
November 9
- No. 6 The ingrossed Bill intituled, An Act continuing an Act intituled, A Supplementary Act to the Act intituled, An Act ascertaining the Height of Fences, &c.
  - No. 7 The ingrossed Bill intituled, An Act continuing an Act entitled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, &c.
  - No. 8 The ingrossed Bill intituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants, &c. out of this Province.
  - No. 9 The ingrossed Bill intituled, An Act to prevent Persons from secret-ing Flats, &c.
  - No. 10 The ingrossed Bill intituled, An Act for the Relief of Thomas Barkley, &c.
  - No. 11 The ingrossed Bill intituled, A Supplementary Act to the Act intituled, An Act to enable Justices of Charles County to levy, &c.
  - No. 12 The ingrossed Bill intituled, An Act for the speedy Recovery of small Debts out of Court, &c.
  - No. 13 The ingrossed Bill intituled, An Act to empower the several Courts  
p. 333 within this Province, to order Commissions for the Examination of Witnesses, &c.
  - No. 14 The ingrossed Bill intituled, An Act empowering the Incumbent and Vestrymen of Saint Michael's Parish, in Talbot County and James Tilghman, &c.
  - No. 15 The ingrossed Bill intituled, An Act for repairing the public Roads in this Province.
  - No. 16 The ingrossed Bill intituled, An Act for regulating Judicial Proceedings.
  - No. 17 The ingrossed Bill intituled, An Act empowering the Justices of Prince George's County, to levy, &c.
  - No. 18 The ingrossed Bill intituled, An Act to enable the Parishioners of Part of St. Andrew's Parish, in St. Mary's County, to choose Vestrymen, &c.
  - No. 19 The ingrossed Bill intituled, An Act to empower the Commissioners of Baltimore-Town, to make an Addition thereto, &c.
  - No. 20 And, the ingrossed Bill intituled, An Act for raising a Duty of Three Halfpence Sterling per Hogshead, &c.

Were severally read and assented to, and sent to the Upper House with the Paper Bills, by Mr. Mackall, and Doctor Hamilton.

Major Hall, from the Committee of Laws, delivers to Mr. Speaker, a Bill intituled, An Act for the abolishing June County Courts; a Bill intituled, An Act for the better Preservation of the Breed of wild Deer; and, a Bill intituled, An Act for the Relief of John Shubbard, a languishing Prisoner, in Kent County Goal; which Bills were severally read the first Time, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.



Post Meridiem.

L. H. J.  
Liber No. 47  
November 9

The House met according to Adjournment, &c.

The Bill intituled, An Act empowering the Justices of Prince George's County, to levy on the taxable Inhabitants of said County, &c. was read the second Time and passed.

A Bill intituled, An Act for the Vesting and Settling an Estate of Inheritance in Fee-Simple, of and in a certain Parcel or Lot of Ground, in the City of Annapolis, containing 120 Feet, &c. to Horatio Samuel Middleton, &c. was read the first and second Time, by an especial Order, and will pass. p. 334

Which Bills, together with the Bill intituled, An Act to prevent the Injuring of Patapsco River; were sent to the Upper House by Mr. Walter Dulany and Doctor Hamilton.

The House adjourns till the morrow Morning at 8 of the Clock.

Saturday Morning, November 10, 1753.

November 10

The House met according to Adjournment, &c.

Mr. Waggaman, Col. Hooper, Mr. C. Goldsborough, and Mr. Edmunson, have leave to go home.

Mr. J. Goldsborough, from the Committee of Accounts, delivers to Mr. Speaker the Journal of Accounts, which was read and assented to, and sent to the Upper House by Mr. J. Goldsborough, and Mr. Stoddert.

On reading the second Time the Bill intituled, An Act for abolishing June County Courts. The Question was put, Whether the said Bill do pass, or Not? Resolved in the Negative.

For the Negative.

Barnes,  
Mills,  
Key,  
Rasin,  
Falconar,  
Hall,  
Reynolds,  
Gantt,  
Stoddert,

Smallwood,  
Harrison,  
Gillis,  
Henry,  
Waggaman,  
J. Goldsborough,  
Tilghman,  
Hooper,  
Travers,

Gray,  
Govane,  
Paca,  
Hyland,  
Addison,  
Murdock,  
Hamilton,  
Scarborough.

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November 10

For the Affirmative.

Bond,	Handy,	Hopper,
Williamson,	Edmunson,	Wilkinson,
Gresham,	Buchanan,	Tillotson,
Gassaway,	Ridgely,	W. Dulany,
J. Mackall,	Pearce,	Chapline,
B. Mackall,	Frasier,	Magruder.
Lee,	Hawkins,	

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The said Bill was accordingly indorsed, Read the second Time and will not pass.

The Bill intituled, An Act for the Relief of John Shubbard, &c. was read the second Time and will pass, and was sent to the Upper  
p. 335 House by Mr. Williamson, and Mr. Falconar.

On reading the second Time the Bill intituled, An Act to repeal an Act intituled, An Act for the Confirmation of the Lands therein mentioned to Richard Bennett, Esq; the Question was put, Whether the following Words, viz. [upon the Application and Solicitation of the then Commissioners of the Customs in England], mentioned in the Preamble of the said Bill as a Recital, between the Words Power and by, and on the second Reading contained in the said Bill, be left out of the said Bill, or Not? On a Division of the House, Resolved that the said Words be left out.

On a further Reading the said Bill, the Question was put, That the Words and Richard Bennett, as now inserted in the Bill, between the Words Birchfield and and, be left out? On a Division, Resolved that the said Words be not left out.

On Reading throughout the Bill intituled, An Act to repeal an Act intituled, An Act for the Confirmation of Lands, &c. the Question was put, Whether the said Bill do pass, or Not? On a Division, Resolved in the Affirmative.

The House adjourns till Monday Morning at 8 of the Clock.

November 12

Monday Morning, November 12, 1753.

The House met according to Adjournment, &c. the Members were called, and all appeared as on Saturday, except Mr. J. J. Mackall, Col. Hooper, Mr. C. Goldsborough, Mr. Edmunson, and Mr. J. Tillotson.

Mr. Crabb appeared in the House.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of Daniel Hull, a languishing Prisoner in Talbot County Goal; indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly."

Which Petition was read here, and granted: Ordered, That the Committee of Laws to prepare and bring in a Bill for the Petitioner's Relief. L. H. J.  
Liber No. 47  
November 12

The Bill intituled, An Act to repeal an Act intituled, An Act for the Confirmation of the Lands therein mentioned to Richard Bennett, Esq; was sent to the Upper House by Mr. Crabb, and Mr. Frasier.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for the Vesting and Settling an Estate of Inheritance in Fee Simple, of and in a certain Parcel or Lot of Ground, in the City of Annapolis, &c. on Horatio Samuel Middleton, and his Heirs for ever; the Bill intituled, An Act to enable the Persons therein named to levy, &c. and, the Bill intituled, An Act empowering the Justices of Prince Georges County, &c. to levy, &c. severally indorsed, "By the Upper House of Assembly, November 12, 1753. Read the second Time and will pass." p. 336

Which Bills were severally read here, and passed for ingrossing.

The Bill intituled, An Act continuing an Act intituled, An additional Supplementary Act to the Act intituled, An Act for laying out and erecting a Town, at a Place called Long-Point, on the West Side of North-East River, in Cæcil County; was read the second Time, and will pass, and was sent to the Upper House by Mr. Hyland, and Mr. Rasin.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill intituled, A Supplementary Act to the Act intituled, An Act empowering the Justices of Baltimore County Court, to assess, and levy, a Sum of Current Money, and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table.

Major Barnes, from the Committee of both Houses of Assembly appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, &c. delivers to Mr. Speaker the following Report, viz.

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly, and to report the State and Condition thereof; October 16, 1753.

L. H. J.  
Liber No. 47  
November 12

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Were Present

The Honourable Richard Lee, Esq; of the Upper House;

Major Abraham Barnes,	} of the Lower House.
Capt. Zachariah Bond,	
Col. Richard Harrison,	
Capt. Arthur Lee, &	
Mr. Walter Dulany,	

Who make choice of and appoint the Honourable Richard Lee, Esq; Chairman, and Richard Dorsey their Clerk; and proceed to make the following Report, viz.

Your Committee having carefully inspected the State of the Office of emitting the Bills of Credit, established by an Act of Assembly, do find, That there remains of the 89990 l. a Ballance in the Iron Chest, at the Close of the Books to April the 10th, 1753 (as per the following Account), the Sum of 1578 l. 16 s. 5 d. 3 q.

Dr. The Office for emitting Bills of Credit in the Province of Maryland, from the 10th Day of April, 1751, to the 10th Day of April, 1753, inclusive.

To Ballance per Account closed to April the 10th, 1751, as per Report, June the 17th, following.	1.	s.	d.	q.
	940	08	08	1
To Money paid in by sundry Sheriffs, for Ordinary Licenses, ————	474	07	09	2
To ditto paid by Edward Dorsey, for Part of the Costs of Suit on John Evans's Bond, ————	2	01	00	0
To ditto paid by Nehemiah King, for Costs of Suit against Tunstall's Executors, ————	4	02	08	0
To principal Money paid into the Office on Loans, ————	1858	11	01	3
To interest Money paid into ditto. ————	754	18	03	1
	£. 4034 09 6 3			

Credit.

By Money lent on Interest, ————	1725	12	00	0
By ditto paid the Commissioners and Clerk their Salaries, ————	640	00	00	0
By ditto for cleaning the Office, and for Fire Wood, &c. ————	23	07	06	0
By Money paid for Officers, and Lawyers Fees, &c. ————	66	13	07	0
By Ballance of coined or signed Money in the Chest. ————	1578	16	05	3
	£. 4034 09 06 3			

Dr. The same Office.

To principal Money paid into the Office, as per Report, Anno 1750, ————	24864	14	06	0
To ditto paid into ditto, to April 10, 1753, inclusive, ————	1858	11	01	3
To Ballance of principal Money at Interest. ————	16645	14	11	1
	£. 43369 00 07 0			

Credit.

	l.	s.	d.	q.	L. H. J. Liber No. 47 November 12
By principal Money at Interest, as per Report, Anno 1750, ——— ——— ———	41643	08	07	0	
By ditto on ditto, to April 10, 1753, inclusive.	1725	12	00	0	
	<hr/>				
	£.	43369	00	07	0

Your Committee, at the Desire of the Commissioners, did count over, and see destroyed, the following torn and defaced Bills, amounting the the Sum of 694 l. 12 s. viz.

3646	Bills of 1 s. Value each,	—	—	—	£.	182	06	0	
2449	Ditto of 1 s. 6 d.	—	—	—		183	13	6	
769	Ditto of 2 s. 6 d.	—	—	—		96	02	6	
328	Ditto of 5 s.	—	—	—		82	00	0	
103	Ditto of 10 s.	—	—	—		51	10	0	
40	Ditto of 15 s.	—	—	—		30	00	0	
69	Ditto of 20 s.	—	—	—		69	00	0	
						<hr/>			
						£.	694	12	0

Your Committee further find, that there is due from several Sheriffs, on Account of Ordinary Licenses, the Sum of 1482 l. 12 s. 9 d. 1 q. as per the following Account.

Dr. Roger Boyce, late Sheriff of Baltimore County.

	l.	s.	d.	q.
To Ballance, as per Report, in May Session, 1750	91	4	0	0
To Lift of Ordinary Licenses, 1750,	26	19	6	0
	<hr/>			
Cr. 1752.	£. 118	3	6	0
By Money paid,	82	18	00	0
By Commission on 26 l. 19 s. 6 d.	1	6	11	0
Ballance,	33	18	7	0
	<hr/>			
	£. 118	3	6	0

Dr. James Rigby, Late Sheriff of Baltimore County.

To Ballance, as per Report, in May Session, 1750,	53	16	07	2
Cr.	.....			

Dr. John Ristean, late Sheriff of Baltimore County.

To Ballance, as per Report, in May Session, 1750,	121	10	00	0
Cr.	.....			

L. H. J. Liber No. 47 November 12	Dr. Henry Morgan, late Sheriff of Baltimore County. To Ballance, as per Report, in May Session, 1750, Cr.	l. s. d. q.  26 02 06 0 .....
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Dr. Thomas Sheredine, late Sheriff of Baltimore County. To List of Licenses, 1750, To ditto, 1751,	25 10 00 0 59 15 10 0
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£. 85 05 10 0

Cr. By Commission, Ballance,	4 05 03 2 81 00 06 2
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£. 85 05 10 0

Dr. Thomas Sheredine, junr. late Sheriff of Baltimore County. To 1 Ordinary License, 1752,	1 00 10 0
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Cr. By Commission, Ballance,	0 01 00 2 0 19 09 2
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£. 1 00 10 0

p. 339 Dr. Thomas Franklin, late Sheriff of Baltimore County. To Part of the List of Ordinary Licenses, 1752,	40 16 08 0
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Cr. By Commission, Ballance,	2 00 10 0 38 15 10 0
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£. 40 16 08 0

Dr. John Smith, late Sheriff of Cæcil County, To Ballance, as per Report, in May Session, 1750,	49 08 05 0
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Cr.	.....
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Dr. Michael Earle, late Sheriff of Cæcil County. To Ballance, as per Report, in May Session, 1750, Licenses granted in the Year 1748,	4 15 00 0
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To 1 License in the same Year, more than before charged,	2 10 00 0
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To List of License granted in the Year, 1749,	46 00 00 0
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To ditto, 1750,	54 03 04 0
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To ditto, 1751,	47 10 00 0
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£. 154 18 04 0

Cr. 1750.	l.	s.	d.	q.	L. H. J.
April 16. By Money paid,	40	00	00	0	Liber No. 47
July 27. By ditto,	2	18	02	0	November 12
By Commission on 150 l. 3 s. 4 d.	7	10	02	0	
Ballance,	104	10	00	0	
	<hr/>				
	£.	154	18	04	0

Dr. John Scarborough, junr. late Sheriff of Worcester County.					
To Ballance, as per Report, in May Session, 1750,	3	11	03	0	
To the Amount of the List of Ordinary Licenses granted in August, and November, Courts, 1750,	16	17	06	0	
To ditto, in June and August Courts, 1751, and August Court, 1752,	25	08	04	0	
	<hr/>				
	£.	45	17	01	0

Cr. May 18, 1750. By Money paid,	3	11	03	0	
May 27, 1751. By ditto, for Licenses granted in Aug. & Nov. Courts, 1750,	16	00	07	2	
June 13, 1752. By ditto, for Licenses granted in the Year, 1751,	14	12	11	0	
By Commission on 42 l. 5 s. 10.	2	02	03	2	
Ballance,	9	10	00	0	
	<hr/>				
	£.	45	17	01	0

Dr. Ephraim Waggaman, Sheriff of Worcester County.					
To 1 Ordinary License granted in November Court, 1752,	1	17	06	0	
Cr. By Commission,	0	01	10	2	
Ballance,	1	15	07	2	
	<hr/>				
	£.	1	17	06	0

Dr. John Parran, late Sheriff of Calvert County.					
To Ballance, as per Report, in May Session, 1750,	11	17	06	0	
Cr.	.....				

Dr. John Skinner, late Sheriff of Calvert County.					p. 340
To List of Innholders licenced in August and November Courts, 1750,	14	07	06	0	
To ditto, in August Court, 1751,	5	00	00	0	
To ditto, in August Court, 1752,	5	00	00	0	
	<hr/>				
	£.	24	07	06	0

L. H. J.  
Liber No. 47  
November 12

	l.	s.	d.	q.
Cr. June 4, 1751. By Money paid for Licenses granted in August and November Courts, 1750.	13	01	03	0
By Commission,	1	04	04	2
Ballance,	10	01	10	2
	<hr/>			
	£.	24	07	06 0

Dr. John Smith, Sheriff of Calvert County.				
To Ordinary Licenses granted in November Court, 1752,	3	15	00	0
Cr. By Commission,	0	03	09	0
Ballance,	3	11	03	0
	<hr/>			
	£.	3	15	00 0

Dr. Gilbert Ireland, late Sheriff of St. Mary's County.				
To Ballance, as per Report, in May Session, 1750,	£.	2	07	06 0
Cr.				.....

Dr. William Thornton, late Sheriff of Anne-Arundel County,				
To List of Licenses from March to November Courts, 1748, inclusive,	76	17	06	0
Cr. By Commission,	3	16	10	2
Ballance,	73	00	07	2
	<hr/>			
	£.	76	17	06 0

Dr. John Gassaway, late Sheriff of Anne Arundel County,				
To Ballance, as per Report, in May Session, 1750,	160	14	02	0
To the Amount of the List of Innholders, &c. 1750, and 1751,	211	17	06	0
	<hr/>			
	£.	372	11	08 0

Cr. August 22, 1750. By money paid for Licenses granted in 1749,	60	00	00	0
By Error in Report, 1750, for Licenses granted in the Year 1748, which ought to have been charged to Wm. Thornton, 76 l. 17 s. 6 d. deduct Commission,	73	00	07	2
By Commission on 211 l. 17 s. 6 d.	20	22	10	2
Ballance,	218	19	02	0
	<hr/>			
	£.	372	11	08 0



	l.	s.	d.	q.	L. H. J. Liber No. 47 November 12
Dr. Nathan Hammond, Sheriff of Anne-Arundel County, To List of Licenses and Fines, 1752,	88	06	07	0	
Cr. By Commission,	4	08	04	0	
Ballance,	83	18	03	0	
	<hr/>				
	£.	88	06	07	0

Dr. John Thomas, late Sheriff of Frederick County, To Ballance, as per Report in May Session, 1750,	£.	34	13	04	0
Cr.	.....				

Dr. George Gordon, Sheriff of Frederick County, To the Amount of the List of Innholders, granted from March, 1749, to November, 1750, both inclusive,					p. 341
To the Amount of the List of Fines in the Year 1750, for Breaches of the Ordinary License Law,	44	15	10	0	
	20	00	00	0	
	<hr/>				
	£.	64	15	10	0
Cr. By Commission,	3	04	09	2	
Ballance,	61	11	00	2	
	<hr/>				
	£.	64	15	10	0

Dr. Osborn Sprigg, late Sheriff of Prince George's County, To Ballance, as per Report in May Session, 1750, To List of Licenses granted in the Year 1747 (omitted before)	96	07	08	2	
To ditto from March, 1748, to November, 1749, both inclusive,	5	12	06	0	
	90	00	00	0	
	<hr/>				
	£.	192	00	02	2

Cr. By sundry Licenses granted in the Year 1747, charged to William Mauduit, 55 l. 12 s. 6 d. Commission deducted,	52	16	10	2	
By Error in the List for same Year,	2	11	03	0	
By Commission on 95 l. 12 s. 6 d.	4	15	07	2	
Ballance,	131	16	05	2	
	<hr/>				
	£.	192	00	02	2

		l.	s.	d.	q.
L. H. J. Liber No. 47 November 12	Dr. Joseph Belt, junior, late Sheriff of Prince George's County,				
	To Ballance, as per Report in May Session, 1750, for Part of the List of Licenses in the Year 1746,	11	07	06	0
	To List of Licenses in August and November Courts, 1746, more than before charged,	7	10	00	0
		£. 18	17	06	0
	Cr. By Commission on 7 l. 10 s. Ballance,	0	07	06	0
		18	10	00	0
		£. 18	17	06	0
	Dr. William Young, Sheriff of Baltimore County, To Part of the List of Innholders, 1752,	10	00	00	0
	Cr. By Commission, Ballance,	0	10	00	0
		9	10	00	0
		£. 10	00	00	0
	Dr. Ennalls Hooper, late Sheriff of Dorchester County, To Ballance, as per Report in May Session, 1750,	34	08	09	0
	To Commission on 3 l. 15 s. per Contra,	0	03	09	0
		£. 34	12	06	0
	Cr. By Error in Report, 1750 Ballance,	3	15	00	0
		30	17	06	0
		£. 34	12	06	0
p. 342	Dr. Bartholomew Ennalls, late Sheriff of Dorchester County.				
	To two Ordinary Licenses in November, 1749,	4	7	6	
	To one ditto in March, 1749,	1	0	10	
	To List of Licenses granted in August, 1750,	12	10	00	
	To ditto in August, 1751,	15	00	00	
	To ditto in August, 1752,	20	00	00	
		£. 52	18	4	
	Cr. 1750.				
	April 16. By Money paid, 1751,		1.	s.	d. q.
	May 10. By ditto for Licenses granted in the Year, 1750,	2	15	5	
	Sept. 27, 1752. By ditto for Ordinary Licenses,	11	17	6	
	By Commission,	19	00	0	
		2	12	5	
	Ballance,	16	13	0	
		£. 52	18	4	

Dr. Daniel Sulivane, Sheriff of Dorchester County.	l.	s.	d.	q.	L. H. J. Liber No. 47 November 12
To Ordinary Licenses granted in November 1752,	5	0	0		
Cr. By Commission,	0	5	0		
Ballance,	4	15	0		

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£. 5 0 0

Dr. Nehemiah King, late Sheriff of Somerset County.					
To Ordinary Licenses granted in August, 1750,	10	0	0		
To ditto in August, 1751,	12	10	0		
To ditto in August and November, 1752,	15	0	0		

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£. 37 10 0

Cr. May 27. 1751. By Money paid,	11	17	6		
September 11. By ditto for Licenses granted in August, 1751,	11	17	6		
By Commission,	1	17	6		
Ballance,	11	17	6		

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£. 37 10 0

Dr. Walter Hanson, late Sheriff of Charles County.					
To Ballance as per Report in May Session, 1750.	23	15	0		
Cr.	.....				

Dr. Samuel Hanson, late Sheriff of Charles County.					
To Ballance, as per Report in May Session, 1750, for Licenses granted from March, 1745, to November, 1746 inclusive	12	11	9		
To an Error in the Account of the List of Licenses, above charged,	00	10	0		
To Lists of Licenses from March, 1746, to August, 1747, inclusive,	16	5	0		
To ditto from November, 1748, to August, 1750. inclusive,	57	1	8		

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£. 86 8 5

Cr. 1750.					
November 21. By Money paid for Licenses, &c. granted in 1749,	35	4	1	2	
By Commission on 73 l. 16 s. 8 d.	3	13	10		
Ballance,	47	10	5	2	

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£. 86 8 5

L. H. J.  
Liber No. 47  
November 12

	l.	s.	d.	q.
Dr. Thomas Hungerford, late Sheriff of Charles County.				
To Ballance, as per Report, in May Session, 1750, for Licenses granted in March Court, 1747, and August Court, 1748,	17	4	4	2
To Ordinary Licenses, granted in the same Courts, omitted to be before charged,	5	8	5	
	£. 22	12	9	2
Cr. By Commission on 5 l. 8 s. 5 d. Ballance,	00	5	5	
	22	7	4	2
	£. 22	12	9	2
p. 343 Dr. John Hanson, Sheriff of Charles County.				
To List of Ordinary Licenses granted in Novem- ber, 1750; August and November, 1751; and June, August and November, 1752,	61	18	4	
Cr. Sept. 11, 1751. By Money paid for Licenses granted in November, 1750,	3	11	3	
By Commission on 61 l. 18 s. 4 d. Ballance,	3	1	11	
	55	5	2	
	£. 61	18	4	
Dr. Thomas Harris, Sheriff of Queen-Anne's County.				
To List of Ordinary Licenses, November Court, 1751,	10	00	00	
To ditto, from March to November, 1752, inclu- sive,	28	19	2	
	£. 38	19	2	
Cr. April 19, 1752. By Money paid for Licenses granted in November, 1751,	9	10	00	
By Commission,	1	18	11	
Ballance,	27	10	3	
	£. 38	19	2	
Dr. Jacob Jones, late Sheriff of Kent County.				
To Ballance, as per Report, in May Session, 1750,	34	4	9	3
To List of Licenses, from March to August, 1750, inclusive,	29	3	4	
	£. 63	8	1	3

	l.	s.	d.	q.	L. H. J. Liber No. 47 November 12
Cr. April 19, 1750. By Money paid for Licenses, granted in 1749,	30	1	8		
June 7, 1751. By ditto, for ditto, from March 1749, to Nov. 1750, inclusive,	27	14	2		
By Commission on 29 l. 3 s. 4 d.	1	9	2		
Ballance,	4	3	1	3	
	<hr/>				
	£. 63	8	1	3	

Dr. John Williamson, Sheriff of Kent County.					
To List of Licenses, 1751,	34	3	4		
To ditto, 1752,	41	12	6		
To List of Fines for Breaches of the Ordinary Li- cense Law,	2	10			
	<hr/>				
	£. 78	5	10		

Cr. April 22, 1752. By Money paid for Licenses, granted in the Year, 1751,	32	9	2		
By Commission on 78 l. 5 s. 10 d.	3	18	3	2	
Ballance,	41	18	4	2	
	<hr/>				
	£. 78	5	10		

Dr. William Thomas, late Sheriff of Talbot County.					
To List of Licenses, granted in March 1749, and August 1750,	18	10	10		
To ditto, in June and August, 1751,	15	8	4		
	<hr/>				
	£. 33	19	2		

Cr. June 4, 1751. By Money paid for Licenses, granted in March 1749, and August 1750,	17	12	3		
By Commission,	1	13	11	2	
Ballance,	14	12	11	2	
	<hr/>				
	£. 33	19	2		

Dr. Thomas Bozman, late Sheriff of Talbot County.					
To List of Licenses in November Court, 1751,	3	15	0		
Cr. By Commission,	0	3	9		
Ballance,	3	11	3		
	<hr/>				
	£. 3	15	0		

		l.	s.	d.	q.
L. H. J. Liber No. 47 November 12	Dr. William Mauduit, late Sheriff of Prince-George's County.				
p. 344	To Ballance, as per Report, in May Session, 1750,	7	2	6	
	To the Amount of the List of Ordinary Licenses, granted from March 1747, to August 1747, inclusive,				
		55	12	6	
		<hr/>			
		£. 61	15	0	
	Cr. By Commission on 55 l. 12 s. 6 d.				
	Ballance,	2	15	7	2
		59	19	4	2
		<hr/>			
		£. 62	15	0	
	Dr. John Cooke, late Sheriff of Prince George's County.				
	To Ballance, as per Report, in May Session, 1750,	113	4	4	2
	To List of Licenses, from March 1750, to Nov. 1751, both inclusive,				
		52	18	4	
	To ditto, from March 1751, to November 1752, both inclusive,				
		97	1	4	
		<hr/>			
		£. 263	4	0	2
	Cr. May 18, 1750. By Money paid,	64	2	6	
	June 19, 1752. By ditto for Licenses, granted in 1750, and 1751,				
		95	4	0	
	By Commission on 150 l. 19 s. 8 d.				
	Ballance,	7	10	11	
		96	6	7	2
		<hr/>			
		£. 263	4	0	2

Your Committee observe, that the Clerks of Saint Mary's and Frederick Counties have not returned Lists of Ordinary Licenses granted in those Counties for the Years 1751 and 1752; and that the Clerks of Talbot and Cæcil Counties have not returned Lists for the Year 1752: For Want of which Lists, we cannot ascertain the Sums due from the Sheriffs of the said Counties, in those Years.

Your Committee further find, that of the Money taken out of the Office, by Virtue of an Act of Assembly, passed in the Year 1740, for Encouragement of Persons voluntarily Inlisting in his Majesty's Service for the Expedition against Cuba, the Sum of 686 l. 14 s. 4 d. remains due; and that by the same Act it is directed, that the Money should be replaced in the Office by three equal Assessments on the Public, of which only two Assessments have been made; and that there is also due to the said Office, for Money taken out for the Expedition against Canada, which is to be replaced by Ordinary Licenses, the Sum of 2939 l. 18 s. 10 d. 3 q.

All which is submitted to the Consideration of both Houses, this  
12th Day of November, 1753.

L. H. J.  
Liber No. 47  
November 12

Richard Lee,  
Abraham Barnes,  
Zachariah Bond,  
Richard Harrison,  
Arthur Lee,  
Walter Dulany.

## Memorandum.

p. 345

Money paid into the Office by several of the Sheriffs, and late Sheriffs before mentioned, for Ordinary Licenses, and since the closing of the Books, viz.

John Williamson, Sheriff of Kent County,	41	18	6
Thomas Harris, Sheriff of Queen Anne's County,	27	10	3
Nathan Hammond, Sheriff of Anne Arundel County,	81	10	9
Nehemiah King, late Sheriff of Somerset County,	14	5	0
Ephraim Waggaman, Sheriff of Worcester County,	1	15	7 2
Samuel Hanson, late Sheriff of Charles County,	27	2	3
Thomas Franklin, late Sheriff of Baltimore County,	36	8	4
William Young, Sheriff of same County,	9	10	0
William Thomas, late Sheriff of Talbot County,	14	12	11

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£. 254 13 7 2

Which Report was read, and ordered to lie on the Table.

Col. Hammond from the Upper House, delivers to Mr. Speaker the Bill intituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; indorsed, "By the Upper House of Assembly, November 12, 1753. Read the second Time, and, with the Amendments proposed in a Schedule herewith sent, will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

"Amendments to the Act For amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees: In the 17th Line of the 1st Page, between the Words Mate and Boatswain, put, or instead of and. In 13th Line of 13th Page, and the second Line of the 14th Page, make the Sheriff's Salary Six instead of Five. In the Secretary's Fees; making up the issue, when done by the Clerk, leave out when done by the Clerk: A Venire Facias for Jurors, if issued by Order of the Court, leave out if issued by Order of the Court: A Copy of the Judgment, if demanded and delivered, leave out if demanded and delivered. Commissary General's Fees; every Letter of Administration, or Letters Testamentary, if granted by the Commissary General, leave

L. H. J.  
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out if granted by the Commissary General: For every Bond, if taken by him, leave out if taken by him: Every Oath, if administered by him, leave out if administered by him: A warrant to Appraisers, if granted by him, leave out if granted by him: A Warrant to swear them, if granted by him, leave out if granted by him. The Judge or Register of the Land Office Fees; recording Certificate per Side, make nine instead of seven: Every Petition and Order thereon, make One Hundred and Fifty, instead of One hundred and Twenty: Copies per Side, and other Services per Side, make nine instead of seven. County Clerks Fees; every Impar lance of the Defendant, leave out of the Defendant: Entering every Plea and Demurrer, make Filing every Plea and Demurrer: For making up the Issue, when done by the Clerk, leave out when done by the Clerk: Venire Facias for a Jury, if issued by Order of Court, leave out if issued by Order of Court: Short Copy Judgment, if demanded and delivered, leave out if demanded and delivered. Criminal Fees; issuing a Venire Facias or Warrant, and recording or filing the same, make a Venire Facias or Warrant, and filing the same. Sheriff's Fees; collecting the Public and County Dues, and Officers Fees, per Hundred, make six instead of five: Executing a Commission of Resurvey per Day, make Seventy five instead of Sixty: Impanelling a Jury, make One Hundred and Eighty, instead of One Hundred and Twenty: Every Oath make Nine instead of Seven. Surveyor General's Fees; for Journey Fees, if the same be distant from the Court House, make for Journey Fees, if the same be distance from the Surveyor's House: In the Resurvey of One Hundred and Forty Acres of Land, or under, made with a Circumferentor, Chain, and other necessary Instruments, be the same made up of one or more Tracts, leave out the Words be the same made up of one or more Tracts: In the next Article, make the Word excluding, computing. Clerk of the Court of Appeals; recording and copying per Side, make Nine instead of Seven. Clerk of the Council; recording and copying per Side, make Nine instead of Seven. Make the Allowance to the Printer Forty Shillings instead of Thirty Shillings.

Signed per Order, J. Ross, Cl. Up. Ho."

p. 347

On reading the said Amendments proposed, the Question was put, Which of the two following Questions shall be first put, viz. Whether this House agrees to all the Amendments proposed by the Upper House, to the said Bill, or Not? Or, Whether several Questions shall be put, upon the several Amendments proposed by the Upper House, or Not? Resolved, that the Question be put, Whether this House agrees to all the Amendments proposed, by the Upper House, to the said Bill, or Not? Which Question was accordingly put, and Resolved in the Affirmative.



For the Affirmative.

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Liber No. 47  
November 12

Bond,	Waggaman,	Hawkins,
Barnes,	Gillis,	W. Dulany,
Mills,	Henry,	Hamilton,
Key,	Handy,	Hopper,
Williamson,	Tilghman,	Wilkinson,
Rasin,	Hyland,	Holliday,
Lee,	Earle,	Selby,
Stoddert,	Addison,	Scarborough,
Smallwood,	Murdock,	D. Dulany.
Harrison,	Frasier,	29

For the Negative.

Gresham,	Gantt,	Paca,
Falconar,	J. Goldsborough,	Pearce,
Carroll,	Oldham,	Crabb,
Hall,	Travers,	Chapline,
Gassaway,	Gray,	Magruder.
B. Mackall,	Govane,	
Reynolds,	Ridgely,	19

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment, &c.

The Question was put, Whether this House agrees to all the Amendments proposed by the Upper House to the Bill intituled, An Act for amending the Staple of Tobacco, &c. or Not? Resolved in the Affirmative.

For the Affirmative.

Bond,	Gillis,	Hawkins,
Barnes,	Henry,	W. Dulany,
Mills,	Handy,	Hamilton,
Key,	J. Goldsborough,	Hopper,
Williamson,	Oldham,	Wilkinson,
Rasin,	Tilghman,	Holliday,
Hall,	Hyland,	Selby,
Lee,	Pearce,	Scarborough,
Stoddert,	Earle,	D. Dulany,
Smallwood,	Addison,	Crabb,
Harrison,	Murdock,	Chapline.
Waggaman,	Frasier,	35

L. H. J.  
Liber No. 47  
November 12

For the Negative.

Gresham,  
Falconar,  
Carroll,  
Gassaway,  
B. Mackall,

Reynolds,  
Gantt,  
Travers,  
Gray,  
Govane,

Ridgely,  
Paca,  
Magruder.

13

p. 348 Which Bill was accordingly indorsed, Read, and with the Amendments proposed, passed for ingrossing.

The Petition of the Rector, the Vestrymen, and Churchwardens, of Saint Anne's Parish, in Anne Arundel County; was read, and on a Division, by a Majority of Voices, will not be granted.

The House adjourns till the morrow Morning at 8 of the Clock.

November 13

Tuesday Morning, November 13, 1753.

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. Buchanan, Col. Selby, and Col. Scarborough.

The Bill intituled, A Supplementary and Explanatory Act to an Act intituled, An Act for the more effectual Punishment of Negroes and other Slaves, &c. was read the second Time and indorsed, (thus) "By the Lower House of Assembly, November 13, 1753. Read the second Time, and, the following Clause, viz. And be it Enacted, that where any Person or Persons shall be prosecuted for Killing a Slave or Slaves resisting, as by the said Act intituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act intituled, An Act to prevent the tumultuous Meetings, and other Irregularities, of Negroes and other Slaves; that then, and in such Case, the Public of this Province shall pay such Person, or Persons, all his Costs and Charges which he, or they, shall be at, by Means of any such Prosecution; Being added after the Word aforesaid, in the 5th Line of the second Page, will pass.

Signed per Order, M. Macnemara, Cl. Lo. Ho."

Was sent to the Upper House by Dr. Alexander Hamilton, and Mr. Falconar.

The Bill intituled, A Supplementary Act to the Act intituled, An Act empowering the Justices of Baltimore County Court, to assess and levy a Sum of Current Money, &c. was read the second Time, and will pass, and was sent to the Upper House by Mr. Paca, and Mr. Gresham.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker a Bill intituled, An Act for the Relief of Daniel Hull, a

languishing Prisoner, in Talbot County Goal; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House by Mr. Oldham, and Capt. Williamson. L. H. J.  
Liber No. 47  
November 13

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker, a Bill intituled, An Act for the better Order and Regulating Clergymen within this Province; which was read the first Time, and ordered to lie on the Table. p. 349

The House adjourns till 2 of the Clock Afternoon.

### Post-Meridiem.

The House met according to Adjournment, &c.

Doctor Carroll, from the Committee of Aggrievances, delivers to Mr. Speaker, the following Report, viz.

By the Committee of Grievances and Courts of Justice, November 13, 1753.

Upon the Complaint of Mr. James Richard, of Baltimore County, against Mr. William Young, the present Receiver of his Lordship's Land Rents, for the said County; your Committee proceeded to examine the Papers, Receipts, and other Evidences, of the said Richard, in Relation to the sundry Payments to the said Young, for Land-Rents due from him in the said County, and find, that the Amount of the said Payments is 31 l. 4 s. 10 d. Sterling, as acknowledged by the said Young; and we also find, that the Amount of the Rents for all the Lands held by the said Richard, together with some Lots in Baltimore-Town, from the Year 1747, to the 29th Day of September, 1752, comes to 26 l. 11 s. 0 d. 2 q. Sterling, whereby there is an over Charge, made by the said Young, of 4 l. 13 s. 9 d. 2 q. Sterling, to the prejudice of said Richard, as by an Account hereunto annexed appears, with the Receipts and other Papers: Your Committee likewise find, that although the said Errors are manifest, yet he, the said Young, caused the said Richard to be distrained several Times for more than was bona fide due; all which actings and doings are contrary to Right, oppressive of his Majesty's Subjects, and tending to alienate the Minds of the People from his Lordship's good Rule and Government: but is humbly submitted to the Consideration of your honourable House.

Signed per Order, William Wilkins, Cl. Com.

Mr. Tilghman from the Committee of Laws, delivers to Mr. Speaker a Bill intituled, An Act to prevent the further Growth of Popery within this Province, and for the better Security of this Part of his Majesty's Dominions; which was read the first Time, and ordered to lie on the Table. p. 350

The House adjourns till the morrow Morning at 8 of the Clock.

L. H. J.  
Liber No. 47  
November 14

Wednesday Morning, November 14, 1753.

The House met according to Adjournment, &c.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Journal of Accounts, and the following Message, viz.

By the Upper House of Assembly, November 14, 1753.  
Gentlemen,

Upon Perusal of the Journal of Accounts, we find you have not inserted therein the following Allowances. To the late Governor, for the Seal of five special Commissions of Oyer and Terminer, and Goal Delivery, to Cæcil County.

To ditto, for the Seals to 15 Proclamations, relating to his Lordship's Assent to the Inspection Law.

The Attendance of the Council of State since the Year 1747.

The yearly Salary to the Clerk of the Council from the Year 1747.

These Articles being allowed, the Journal will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker a Bill intituled, An Act to prevent injuring the Navigation to Baltimore-Town, and to the Inspecting House at Elk-Ridge Landing, on Patapsco River; indorsed, "By the Upper House of Assembly, November 13, 1753.

"Read the first Time, and ordered to lie on the Table; and (thus) By the Upper House of Assembly, November 14, 1753. Read the second Time, and will pass."

The Bill intituled, An Explanatory Act to the Act intituled, An Act for the Marking of Highways, &c. indorsed, "By the Upper House of Assembly, November 13, 1753. Read the second Time, and with the following Amendments, will pass; leave out the Words after the Word provided in the 10th Line, to the Word that in the 12th Line."

p. 351 The Bill intituled, An Act for the Relief of John Shubbard, &c. the Bill intituled, An Act for the Relief of Daniel Hull, &c. the Bill intituled, An Act continuing an Act intituled, An additional Supplementary Act to the Act intituled, An Act for laying out and erecting a Town, at a Place called Long-Point, &c. in Cæcil County; and, the Bill intituled, A Supplementary Act to the Act intituled, An Act empowering the Justices of Baltimore County Court to assess and levy, &c. severally indorsed, "By the Upper House of Assembly, November 14, 1753. Read the second Time and will pass."

Which Four last mentioned Bills were severally read here, and passed for ingrossing.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

Liber No. 47  
L. H. J.  
November 14

The House met according to Adjournment.

The Bill intituled, An Act to prevent injuring the Navigation to Baltimore-Town, and to the Inspecting House at Elk-Ridge Landing, on Patapsco River; was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House by Mr. Govane and Major Ridgely.

The Bill intituled, An Explanatory Act to the Act intituled, An Act for the Marking of Highways, &c. was read with the Amendments proposed by the Upper House, and with which Amendments this House doth not agree.

On reading the Report from the Committee of Grievances of the 29th of October last: Ordered that the following Deposition be inserted in the Proceedings, which is as follows, viz.

Philip Key, of Saint Mary's County, the Person mentioned in the Deposition of Thomas Greaves, annexed to the Report of the Committee of Aggrievances, here in this Session, makes Oath on the Holy Evangelists of Almighty God, That he never offered to give, or did give, Five Hundred Pounds of Tobacco, or any other Quantity of Money or Tobacco, or any Kind of Goods of Value, towards the Building a Roman Catholic Chapel in Saint Mary's County, or any other Part of the known World.

Sworn before, and certified by, Robert Jenckins Henry.

On reading throughout the said Report, the Question was put, Whether the House concurs with the said Report, or Not? Resolved in the Negative.

For the Negative.

Bond,	Tilghman,	Hawkins,
Barnes,	Travers,	W. Dulany,
Mills,	Gray,	Hamilton,
Key,	Ridgely,	Hopper,
Rasin,	Pearce,	Holliday,
Harrison,	Earle,	D. Dulany,
Henry,	Frasier,	Magruder. 21

For the Affirmative.

Williamson,	Reynolds,	Govane,
Gresham,	Gantt,	Hyland,
Falconar,	Lee,	Addison,
Carroll,	Stoddert,	Crabb,
Hall,	Smallwood,	Chapline.
Gassaway,	J. Goldsborough,	
B. Mackall,	Oldham,	

L. H. J. Mr. Holliday, from the Committee of Laws, delivers to Mr.  
 Liber No. 47 Speaker a Bill intituled, An Act for the better Regulating of the  
 November 14 Justices of the Peace and Constables, in serving and determining  
 p. 352 Warrants for small Debts.

Which was read the first Time, and ordered to lie on the Table.

On motion, the Question was put, that the Bill intituled, An Act for the better Order and Regulating the Clergymen within this Province, be referred to the Consideration of next Assembly: Resolved in the Affirmative.

Which Bill was accordingly indorsed, “referred to the Consideration of next Assembly.”

On motion, the Question was put, that the Bill intituled, An Act to prevent the further Growth of Popery within this Province, and for the better Security of this Part of his Majesty's Dominions; be referred to the Consideration of next Assembly: And was Resolved in the Affirmative.

#### For the Affirmative.

Bond,	Smallwood,	Pearce,
Barnes,	Harrison,	Earle,
Mills,	Travers,	W. Dulany,
Rasin,	Gray,	Hopper,
Falconar,	Henry,	Holliday,
Hall,	Govane,	Chapline,
Stoddert,	Ridgely,	Magruder. 21

#### For the Negative.

Williamson,	Gantt,	Addison,
Gresham,	Lee,	Frasier,
Carroll,	J. Goldsborough,	Hawkins,
Gassaway,	Oldham,	Crabb.
B. Mackall,	Tilghman,	
Reynolds,	Hyland,	16

Which Bill was accordingly indorsed, “referred to the Consideration of “next Assembly.”

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill intituled, An Act to Repeal an Act intituled, An Act for the Confirmation of the Lands therein mentioned to Richard Bennett, Esquire; indorsed, “By the Upper House of Assembly, November 14, 1753. Read the second Time, and will pass;” which Bill was read here, and passed for ingrossing.

The House adjourns till the morrow Morning at 8 of the Clock.

Thursday Morning, November 15, 1753.

L. H. J.  
Liber No. 47  
November 15

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. Waggaman, Mr. Gillis, and Mr. Handy.

On reading the second Time the Bill intituled, An Act for the better Regulating of the Justices of the Peace, and Constables, in serving and determining Warrants for small Debts; the Question was put, Whether the said Bill do pass, or Not? Resolved in the Negative.

For the Negative.

Bond,	Lee,	Tilghman,
Barnes,	Stoddert,	Travers,
Mills,	Smallwood,	Gray,
Key,	Harrison,	Pearce,
Gassaway,	Henry,	Earle,
B. Mackall.	J. Goldsborough,	Addison,
Gantt,	Oldham,	Wilkinson.

For the Affirmative.

Williamson,	Ridgely,	Hopper,
Rasin,	Paca,	Holliday,
Gresham,	Hyland,	Crabb,
Carroll,	Frasier,	Chapline,
Hall,	Reynolds,	Magruder.
Govane,	Hawkins,	

17

Which Bill was accordingly indorsed, "Read the second Time and will not pass."

On motion, That the Bill intituled, An Act for the better Preservation of the Breed of wild Deer, and preventing unlawful Hunting, and firing the Woods, be referred for Consideration of the next Assembly;

Resolved that the same be referred accordingly.

Which Bill was accordingly indorsed, "referred to the Consideration of next Assembly."

Major Hall from the Committee of Laws, delivers to Mr. Speaker an ingrossed Bill intituled, An Act for amending the Staple of Tobacco, &c. which was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by Daniel Dulany, Esq: and Col. Harrison.

Daniel Dulany, Esq; from the Committee of Laws, delivers to Mr. Speaker a Bill intituled, An Act to enable the Justices of Frederick County, for the Time being, to levy on the taxable In-

L. H. J. habitants of the said County, a Sum of Money for the Uses therein  
 Liber No. 47 mentioned; and, a Bill intituled, A Supplementary Act to the Act  
 November 15 intituled, An Act for the Relief of Creditors in England against  
 Bankrupts, who have imported any Goods into this Province not  
 accounted for.

Which Bills were severally read the first and second Time, by an  
 especial Order, and will pass; and were sent to the Upper House by  
 Mr. Crabb, and Mr. Chapline.

p. 354 The House adjourns till 2 of the Clock Afternoon.

#### Post Meridiem.

The House met according to Adjournment, &c.

On reading and considering the Articles proposed by the Upper  
 House, to be inserted in the Journal of Accounts; the Question was  
 put, Whether the Article to the late Governor, for the Allowance  
 for 15 Proclamations, relating to his Lordship's Assent to the  
 Inspection Law, be inserted in the Journal of Accounts, or Not?  
 Resolved in the Negative.

#### For the Negative.

Rasin,	Smallwood,	Addison,
Carroll,	J. Goldsborough,	Murdock,
Gassaway,	Oldham,	Frasier,
B. Mackall,	Tilghman,	Hawkins,
Reynolds,	Gray,	Crabb,
Gantt,	Ridgely,	Magruder.
Lee,	Hyland,	
Stoddert,	Earle,	

22

#### For the Affirmative.

Bond,	Hall,	W. Dulany,
Barnes,	Harrison,	Hamilton,
Mills,	Henry,	Hopper,
Key,	Travers,	Wilkinson,
Williamson,	Govane,	Holliday,
Gresham,	Paca,	D. Dulany,
Falconar,	Pearce,	Chapline.

21

The Question was put, Whether the Articles for the attendance  
 of the Council of State, since the Year 1747, be inserted in the  
 Journal of Accounts, or Not? Resolved in the Negative.



L. H. J.  
Liber No. 47  
November 15

For the Negative.

Williamson,	Smallwood,	Murdock,
Rasin,	J. Goldsborough,	Frasier,
Falconar,	Oldham,	Hawkins,
Carroll,	Tilghman,	Hopper,
Hall,	Travers,	Wilkinson,
Gassaway,	Gray,	D. Dulany,
B. Mackall,	Govane,	Crabb,
Reynolds,	Ridgely,	Chapline,
Gantt,	Hyland,	Magruder.
Lee,	Earle,	
Stoddert,	Addison,	

31

For the Affirmative.

Bond,	Gresham,	Pearce,
Barnes,	Harrison,	W. Dulany,
Mills,	Henry,	Hamilton,
Key,	Paca,	Holliday.

12

On motion, Resolved that the Journal of Accounts be again sent to the Upper House with a Message to enforce it.

Ordered, That Doctor Carroll, Mr. J. Goldsborough, and Mr. Tilghman, do prepare the same.

His Excellency the Governor communicates to Mr. Speaker the following Answer to the Address of this House, viz.

Gentlemen of the Lower House of Assembly,

Your Request in the Address respecting Mr. Muir's Proceedings, as Receiver of his Lordship's Rents, I must beg longer Time to consider of; but take this Occasion of assuring you, that I will never interpose in favour of any Officer who has transgressed the Law, and that I will countenance no Actions which are really Illegal or Oppressive.

Hor.<sup>o</sup> Sharpe.

On reading the Report from the Committee of Grievances, relating to Mr. William Young, Receiver of his Lordship's Quit-Rents, in Baltimore County;

Ordered that the same be referred to the Consideration of next Assembly.

The House adjourns till the morrow Morning at 8 of the Clock.

Friday Morning, November 16, 1753.

November 16

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. J. Goldsborough, and Major Ridgely.

L. H. J.  
Liber No. 47  
November 16

An ingrossed Bill intituled, An Act to cut off the Entail of Part of a Tract of Land called Charley, now lying in Charles and Prince George's Counties, and to Entail Lands of equal Value in Lieu thereof; an ingrossed Bill intituled, An Act to repeal an Act intituled, An Act for the Confirmation of Lands therein mentioned to Richard Bennett, Esq; and, an ingrossed Bill intituled, An Act for the Vesting and Settling an Estate of Inheritance in Fee-Simple, of and in a certain Parcel or Lot of Ground, in the City of Annapolis, containing 120 Feet, &c. on Horatio Samuel Middleton, and his Heirs for ever; were severally read, and assented to, and sent to the Upper House, with the Paper Bills thereof, by Mr. Bond, and Capt. Lee.

The following Message, viz.

May it please your Honours,

In Answer to your Message of the 14th, by Samuel Chamberlaine, Esq; we do agree to allow the late Governor, for the Seal to five special Commissions of Oyer and Terminer and Goal Delivery to Cæcil County, and have accordingly inserted it, but cannot consent to allow for the Seals to fifteen Proclamations, relating to his Lordship's Assent to the Inspection Law; the Publication of his Lordship's Assent to our Laws was never yet thought needful for the Validity of them, and we hope never will, therefore we think it highly unreasonable to burthen the People for a Service so apparently unnecessary: The Attendance of the Council of State, and the Salary of their Clerk, we cannot think it reasonable to make any Allowance for: The Service of that honourable Board is either relative to his Lordship's private Affairs, or to Matters of Government; in the first Case, 'tis plain the People ought not to be burthened, and that they ought not in the latter will appear equally clear, when it is considered, that by many Acts of Assembly of this Province, Fines and Forfeitures are given to his Lordship the Lord Proprietary, for Support of Government, and that the Sum of 12 Pence per Hogshead on all Tobacco exported out of this Province, is collected and paid to his Lordship, under an Act expressly giving it for Support of Government; and although we are of Opinion that Act is not now in Force, yet we think it beyond doubt, that when any Duty is collected it ought to be applied to the Purposes for which it was given: For these Reasons, and Others which might be used, we cannot agree to burthen the People with these Allowances; and, we cannot but express our Hopes, that the same good Disposition which your Honours have shewn throughout this Session will prevail with you to weigh and consider this Matter with Attention, and that you will look on the Service of that honourable Board in the same Light that we do, and that to prevent the great Inconveniencies arising from an Increase of the Public Debt, and that the

legal Creditors may receive their several Claims, you will pass the Journal as it now stands.

L. H. J.  
Liber No. 47  
November 16

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, with the Journal of Accounts, by Mr. Stoddert and Mr. Magruder.

Mr. Govane brings in, and delivers to Mr. Speaker, a Bill intituled, An Act for repealing Part of an Act of Assembly intituled, An Act for the Encouragement of such Persons as will undertake to build Water-Mills; and Part of one other Act of Assembly intituled, An Act for the Encouragement of an Iron Manufactory within this Province; which was read the first Time, and on motion, that the said Bill be referred to the Consideration of next Assembly, the same was referred accordingly.

Which Bill was indorsed, "referred to the Consideration of next Assembly."

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker an ingrossed Bill intituled, A Supplementary and Explanatory Act to an Act intituled, An Act for the more effectual Punishment of Negroes, &c. indorsed, "By the Upper House of Assembly, November 13, 1753. Read the second Time, and with the Amendments proposed, passed for ingrossing.

Signed per Order, J. Ross, Cl. Up. Ho."

And an ingrossed Bill intituled, An Act to prevent the injuring the Navigation to Baltimore-Town, and to the Inspecting House at Elk-Ridge Landing, &c. With the Paper Bills thereof, indorsed, "By the Upper House of Assembly, November 14, 1753. Read and passed for ingrossing.

Signed per Order, J. Ross, Cl. Up. Ho."

Which ingrossed Bills were severally indorsed, "November 16, 1753. Read and assented to by the Upper House of Assembly.

Signed per Order, J. Ross, Cl. Up. Ho."

The said ingrossed Bills were here severally read and indorsed. "Read and assented to by the Lower House of Assembly," and the Paper Bills were severally indorsed, "By the Lower House of Assembly, November 16, 1753. The ingrossed Bill whereof this is the Original is read and assented to.

Signed per Order, M. Macnemara, Cl. Lo. Ho."

Which said Paper Bills were sent to the Upper House by Mr. Frasier and Capt. Gassaway.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be ingrossed.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.  
Liber No. 47  
November 16

Post-Meridiem.

The House met according to Adjournment.

Doctor Carroll, from the Committee of Laws, delivers to Mr. Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message, with the Earl of Holderness's Letter, we assure your Excellency we have that due Sense of our most gracious Sovereign's paternal Tenderness for, and Care of, all his Subjects, which Duty and Gratitude inspire, and are sufficiently apprehensive of the great Danger of suffering a foreign Power to encroach upon any Part of his Majesty's Dominions: We are determined resolutely to repel, in the best Manner we can, all hostile Invasions of this Province, by any foreign Power; and whenever the Circumstances of our neighbouring Colonies may require, or need our Assistance, we shall cheerfully contribute as far as we are able, towards defending them against the Attacks of their Enemies: But as there does not appear, at present, to be any pressing Occasion for imposing a Tax upon the People for these Purposes, we hope, that our Unwillingness to do it at this Time, will be rather ascribed to the real Motive of our Conduct, a prudent Care of, and Regard to, the Interests of our Constituents, than any Disinclination to the Service recommended.

On your recommending the Revival of the Act, for Arms and Ammunition, we must (tho' with Reluctance), observe to your Excellency, that under Colour of an Act of Assembly, made in the Year Seventeen Hundred and Four, when this Province was under the immediate Protection of the Crown, the Sum of Twelve Pence per Hogshead on all Tobacco, exported out of this Province, has been and still is, collected and paid to the Lord Proprietary; Three Pence of which Twelve Pence per Hogshead, when that Act was in Force, was, by the Instructions of her most gracious Majesty Queen Anne to her Governor here, applied towards a Supply of Arms and Ammunition; and altho' it is the Sense of this House, that the above-mentioned Act could not continue longer than during the Time the Government of this Province was in the Crown, and therefore, as they conceive, cannot now be in Force, yet it is thought but just and reasonable, while that Duty is collected, that Three Pence, Part thereof, should be applied, as during the Continuance of the above-mentioned Act, to a Supply for Arms and Ammunition, and for this Reason we cannot, consistently with our Duty, and the Trust reposed in us by our Constituents, consent to a Revival of that Act.

Which was read and assented to, and signed on Behalf of the House, by the honourable Speaker.

L. H. J.  
Liber No. 47  
November 16

Ordered, That Col. Harrison and Mr. Earle do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, that he would receive it in Half an Hour's Time, in the Conference-Chamber.

Ordered, That Major Barnes, and Five more, do present the Address to his Excellency the Governor.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the following Message, viz.

By the Upper House of Assembly, November 16, 1753.  
Gentlemen,

In Answer to your Message of this Day, we observe that you say, "We agree to allow the late Governor for the Seal of five special Commissions of Oyer and Terminer, and Goal Delivery, to Cæcil County, but cannot consent to allow for the Seals of fifteen Proclamations relating to his Lordship's Assent to the Inspection Law," and the Reason you give is, because it was never yet thought needful for the Validity of them: Without entering into any Discussion with you on that Point, we say, that the issuing those Proclamations, at that Time, was necessary to satisfy the Minds of the People who had been made to believe, that the Inspection Law was, or would be, dissented to, and as this was a special Case, which may never probably happen again, we hope you will agree to allow the same. p. 360

As to the Allowance for the Attendance of the Council of State and their Clerk, we refer you to the Proceedings in the Debates thereon entered in your own Journals, and particularly, to the Journal of the Year 1736, in which there are Messages, between the Houses, in the following Words, viz.

"By the Upper House of Assembly, May 5, 1736.  
Gentlemen,

The Refusal of the Councillors Allowance has occasioned so much unnecessary Expence to the Country, that we assure you of our Resolution never to agree to the Journals, unless you will be pleased to Consent to what is strictly regular with Regard to those Allowances.

Signed per Order, J. Ross, Cl. Up. Ho."

"By the Lower House of Assembly, May 5, 1736.  
May it please your Honours,

To avoid any further unnecessary Expence to the Country, we are content to allow your Honours as a Council of State, from the laying

L. H. J. the last Public Levy, but cannot agree to allow any Thing heretofore  
 Liber No. 47 denied by our House; and if your Honours agree to what we herein  
 November 16 propose, desire that you'll let the Claims of the several Members be  
 sent us, in Order to be inserted into the Journals of Accounts.

Signed per Order, M. Macnemara, Cl. Lo. Ho."

"By the Upper House of Assembly, May 5, 1736.

Gentlemen,

Nothing can give this House greater Pleasure than any Endeavour for, and Appearance of, Harmony and good Agreement between the Two Houses; in this Light we received your Message of this Day, by Messieurs Hooper and Ward, which convince us of your real Intention of serving the Country, without burthening it with large Charges by unnecessary Disputes; as, on the other Hand, we have the greatest Satisfaction in being assured, that the Claims of the Councillors of State will not meet with any Opposition hereafter; so, on the other Hand, we do assure you, Gentlemen, of no less Joy on our Part, that we shall not Charge the Country with any Claims, since the Time of laying the last Public Levy, to this Session.

Signed per Order, J. Ross, Cl. Up. Ho."

p. 361 "By the Lower House of Assembly, May 5, 1736.

May it please your Honours,

This Message sent to your Honours from this House, by Col. Hooper and Col. Ward, could not possibly be more agreeable to you, than your Answer to it, is to this House, and as the putting so happy an End to all Disputes concerning the Councillors Allowance, as is proposed in your last Message, must contribute to keep up that Harmony between the Two Houses, which is absolutely necessary to dispatch the Public Business, so it cannot but be very advantageous to the People, as it will certainly prevent the Charge which would unavoidably attend unnecessary Disputes; and therefore, this House concurs with what your Honours propose, and we now send the Journals, desiring your Concurrence thereto.

Signed per Order, M. Macnemara, Cl. Lo. Ho."

Upon Consideration of which, and the solemn Assurance given by the then Lower House in their Messages, we hope you will not at this Time renew a Debate on a Point so settled; but for the Ease of the People, and the Public Creditors, who must otherwise be very great Sufferers, agree to our Amendments, and pass the Journal accordingly.

Signed per Order, J. Ross, Cl. Up. Ho.

And the Journal of Accounts.

On reading the Message of this Day, by Richard Lee, Esq; the Question was put, Whether the Consideration of the Journal be referred to next Assembly, or Not? Resolved in the Negative.

For the Negative.

L. H. J.  
Liber No. 47  
November 16

Bond,	Harrison,	Hamilton,	
Barnes,	Henry,	Hopper,	
Mills,	Oldham,	Wilkinson,	
Key,	Travers,	Holliday,	
Williamson,	Gray,	D. Dulany,	
Gresham,	Pearce,	Crabb,	
Falconar,	Frasier,	Chapline,	
B. Mackall,	W. Dulany,	Magruder.	24

For the Affirmative.

Rasin,	Carroll,	Hyland,	
Reynolds,	Hall,	Earle,	
Gantt,	Gassaway,	Addison,	
Lee,	Tilghman,	Murdock,	
Stoddert,	Govane,	Hawkins.	
Smallwood,	Paca,		17

The Question was put, Whether the Journal of Accounts, shall pass, or Not? Resolved in the Negative.

For the Negative.

p. 362

Williamson,	Lee,	Earle,	
Rasin,	Stoddert,	Addison,	
Falconar,	Smallwood,	Murdock,	
Carroll,	Oldham,	Frasier,	
Hall,	Tilghman,	Hawkins,	
Gassaway,	Gray,	Crabb,	
B. Mackall,	Govane,	Magruder.	
Reynolds,	Paca,		
Gantt,	Hyland,		25

For the Affirmative.

Bond,	Henry,	Wilkinson,	
Barnes,	Travers,	Holliday,	
Mills,	Pearce,	D. Dulany,	
Key,	W. Dulany,	Chapline.	
Gresham,	Hamilton,		
Harrison,	Hopper,		16

Col. Tasker from the Upper House. delivers to Mr. Speaker the Bill intituled, An Act to enable the Justices of Frederick County, &c. to levy, &c. indorsed, " By the Upper House of Assembly, November 16, 1753. Read the second Time and will pass."

L. H. J.  
Liber No. 47  
November 16

And the Bill intituled, A Supplementary Act to the Act intituled, An Act for the Relief of Creditors in England, against Bankrupts, &c. indorsed, “ By the Upper House of Assembly, November 16, 1753. Read the second Time, and will pass, with the following Amendments; between the Words executed and shall, in 13th Line of the first Page, put the following Words, or his or their Agent or Agents, Attorney or Attorneys in Fact, or such other Person or Persons who shall act by Commission or Direction from him or them; after the Word Province, in the last Line but one of the same Page, insert the following Words, so far forth as the Goods, Chattels, Effects, Debts, Lands, Tenements, or Hereditaments, shall come to the Hands or Possession of such Agent or Agents, Attorney or Attorneys, or other Person or Persons, acting by Commission, or Direction, as aforesaid.

Signed per Order, J. Ross, Cl. Up. Ho.”

Which Bill was read, with the Amendments proposed, and passed for ingrossing.

The Bill intituled, An Act to enable the Justices of Frederick County, for the Time being, &c. was read, and passed for ingrossing.

Capt. Alexander Williamson, from the Committee of Elections, &c. delivers to Mr. Speaker the following Report, viz.

p. 363

By the Committee of Elections and Privileges, November 16, 1753.

Your Committee having inspected the Writs, directed to the Sheriffs of Prince George’s, Baltimore, and Dorchester Counties, and Returns thereon, for electing Deputies and Delegates, to serve in this General Assembly, do find, that Mr. John Hawkins, junior, a Delegate of Prince-George’s County, is duly returned; that Mr. Henry Travers, and Mr. Joseph Cox Gray, Delegates of Dorchester County, are duly returned; that Mr. John Paca, a Delegate of Baltimore County, is duly returned.

All which is submitted to your honourable House.

Signed per Order, Benjamin Beall, Cl. Com.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill intituled, An Act for granting Fees to the several Justices of the County Courts, &c. And, the Bill intituled, An Act to disable Persons transported into this Province for being concerned in Rebellion against the King, from voting for Delegates; severally indorsed, “ By the Upper House of Assembly, November 16, 1753. Read the second Time and will not pass.”

The House adjourns till the morrow Morning at 8 of the Clock.



Saturday Morning, November 17, 1753.

L. H. J.  
Liber No. 47  
November 17

The House met according to Adjournment, &c.

Major Hall, from the Committee of Laws, delivers to Mr. Speaker, a Bill intituled, An Act for the more speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer. A Bill intituled, An additional Supplementary Act to the Act intituled, An Act for emitting and making current 90,000 l. Current Money of Maryland, in Bills of Credit. And, a Bill intituled, An Act for securing and recovering the Money therein mentioned.

Which Bills were severally read the first and second Time, by an especial Order, and will pass, and were sent to the Upper House, by Dr. Hamilton and Mr. Bond.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the several Paper Bills, of the ingrossed Bills, that have been assented to by both Houses this Session, which Paper Bills were severally indorsed, "By the Upper House of Assembly, the ingrossed Bill whereof this is the Original is read and assented to." p. 364

The following Message, viz.

By the Lower House of Assembly, November 17, 1753.

May it please your Honours,

In Answer to your Honours Message of the 31st of October, by Mr. Chamberlaine, in Relation to the License Money, and Fines, arising by the Hawkers and Pedlars Bill, and all other Fines, being the undoubted Right of the Lord Proprietary, we can in no wise agree with you; for altho' all Fines go to the King, for this Reason, that the Courts of Justice are supported at his Charge, for the Protection of his People, the People of Maryland, and not his Lordship, support the Courts of Justice, by an Assessment and Charge on themselves, and what Fines are already transferred to, or given, the Lord Proprietary, are, and have been, applied to the private Use of the Lord Proprietaries, and not for Support of the Courts of Justices, or of the Government, in any Way that is known to this House; and, altho' the late Lord Proprietary has yearly taken and received, from the Trade and People of this Province, very great Sums yearly, for Support of Government, we know of no Application of more than what is paid to the Governor, for the Time being, so that the Rest is put to a private Use, and not for Support of Government.

And we think it very hard that his Majesty's Subjects of Maryland alone, should be deprived of the Power of raising Money to be applied to such Purposes as may be of general Service to them, and we are apprehensive that such Refusals may withdraw the Affection of the People from his Lordship's Government, which, by good Offices from those Presiding, ought to be promoted, but as we

L. H. J. expect this Session is now drawing to a Conclusion, we shall not  
 Liber No. 47 again send up that Bill, but hope, at another Time, your Honours  
 November 17 will agree to what we have proposed in Relation thereto.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

p. 365 Which was sent to the Upper House, by Mr. Crabb, and Mr. Hawkins.

Col. Hammond, from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for the speedy and effectual Publication of the Laws of this Province, &c. The Bill intituled, An additional Supplementary Act to the Act intituled, An Act for emitting and making current 90,000 l. Current Money, &c. And, the Bill intituled, An Act for securing and recovering the Money therein mentioned, severally indorsed, "By the Upper House of Assembly, November 17, 1753. Read the first and second Time, by an especial Order, and will pass."

Which Bills were here severally read, and passed for ingrossing.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker an Address to the Lord Proprietary; which was read, approved, and ordered to be ingrossed: Also, a Representation to the Lords of Trade and Plantations; which was read, approved, and ordered to be ingrossed: Also, an Address to the Governor; which was read, approved, and ordered to be ingrossed.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

The House met according to Adjournment.

An ingrossed Bill intituled, An Act to prevent injuring the Navigation to Baltimore-Town, and to the Inspecting House at Elk-Ridge Landing, &c.

An ingrossed Bill intituled, An Act continuing an Act intituled, An additional Supplementary Act to the Act intituled, An Act for laying out and erecting a Town, at a Place called Long-Point, &c.

An ingrossed Bill intituled, An Act to enable the Persons therein named, to levy, assess, and apply, the Money therein mentioned.

An ingrossed Bill intituled, An Act empowering the Justices of Prince-George's County, to levy, &c.

An ingrossed Bill intituled, An Act to enable the Justices of Frederick County, for the Time being, to levy, &c.

p. 366 An ingrossed Bill intituled, A Supplementary Act to the Act intituled, An Act empowering the Justices of Baltimore County Court, to assess and levy a Sum of Current Money, &c.

An ingrossed Bill intituled, A Supplementary Act to an Act intituled, An Act to aid the Title of Purchasers of Lots in Princess-Anne Town, &c.

An ingrossed Bill intituled, An Act for the Relief of Daniel Hull, &c. L. H. J.  
Liber No. 47  
November 17

An ingrossed Bill intituled, An Act for the Relief of John Shubbard, &c.

And, an ingrossed Bill intituled, A Supplementary Act to the Act intituled, An Act for the Relief of Creditors in England, against Bankrupts, &c.

Were severally read and assented to, and were sent to the Upper House, with the Paper Bills, by Col. Harrison and Mr. Rasin.

Major Hall, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor, which was read, approved, and ordered to be ingrossed.

The House proceeded to tax the following private Bills, viz.

An ingrossed Bill intituled, An Act to cut off the Entail of Part of a Tract of Land called Charley, now lying in Charles and Prince-George's Counties, and to Entail Lands, of equal Value, in Lieu thereof;

To the Speaker,	£. 4   0   0
To the Clerk,	2   0   0

An ingrossed Bill intituled, An Act for the vesting and settling an Estate of Inheritance, in Fee-Simple, of and in a certain Parcel or Lot of Ground, in the City of Annapolis, &c. on Horatio Samuel Middleton, &c.

To the Speaker,	£. 5   0   0
To the Clerk,	2   10   0

An ingrossed Bill intituled, An Act to repeal an Act intituled, An Act for the Confirmation of Lands, therein mentioned, to Richard Bennett, Esq;

To the Speaker,	£. 5   0   0
To the Clerk,	2   10   0

And, the ingrossed Bill intituled, An Act empowering the Incumbent and Vestrymen of Saint Michael's Parish, in Talbot County, and James Tilghman of the said County, and Anne his Wife, to make an Exchange of certain Lands therein mentioned, &c. p. 367

To the Speaker,	£. 4   0   0
To the Clerk,	2   0   0

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the following Message, viz.

By the Upper House of Assembly, November 17, 1753.  
Gentlemen,

Your Message of this Day, in Answer to ours of the 31st of October, being, we think, of a very extraordinary Nature, we shall

L. H. J. make some short Remarks thereon, and leave them with you, for  
 Liber No. 47 your further Consideration, if you think fit, at another Session; and  
 November 17 in the first Place, we desire to know upon what Foundation you have  
 so positively asserted, that all Fines go to the King for this Reason,  
 that the Courts of Justice are supported at his Charge, for the Pro-  
 tection of his People; if you intend thereby to assert that the Courts  
 of Justice are supported by the Fines to the King, we may venture  
 to say, you are mistaken; and again, we should be willing to know,  
 whether you think applying the Fines to the Proprietary is depriving  
 his Majesty's Subjects of Maryland of the Power of raising  
 Money, to such Purposes as may be of General Service to them; as  
 for the other Parts of your Answer, we shall take no Notice thereof  
 at present, as the Session has continued already too long, and we are  
 in hopes is near a Conclusion.

Signed per Order, J. Ross, Cl. Up. Ho.

An ingrossed Bill intituled, An Act for securing and recovering  
 the Money, &c.

An ingrossed Bill intituled, An additional Supplementary Act to  
 the Act intituled, An Act for emitting and making current 90,000 l.  
 Current Money, &c.

Were severally read and assented to, and sent to the Upper House,  
 with the Paper Bills thereof, by Mr. Falconar and Mr. Chapline.

The Petition of George-Town, on Potowmack River, was referred  
 for Consideration of next Assembly.

The Bill intituled, An Act to repeal Part of the Act relating to  
 George-Town, on Rock Creek, was referred to the Consideration of  
 next Assembly.

An ingrossed Bill intituled, An Act for the speedy and effectual  
 p. 368 Publication of the Laws of this Province and for the encouragement  
 of Jonas Green, &c.

Was read and assented to, and sent to the Upper House, with the  
 Paper Bill, by Mr. Gray and Capt. Gassaway.

Col. Tasker from the Upper House, delivers to Mr. Speaker the  
 Paper Bill intituled, A Supplementary Act to the Act intituled, An  
 Act for the Relief of Creditors in England, against Bankrupts, &c.

The Paper Bill intituled, An Act for securing and recovering the  
 Money therein mentioned, &c.

The paper Bill intituled an Additional Supplementary Act to the  
 Act intituled an Act for emitting and making Current 90000 l. Cur-  
 rent Money of Maryland in Bills of Credit

And the paper Bill intituled an Act for the Speedy and effectual  
 publication of the Laws of this province and for the encouragement  
 of Jonas Green of the City of Annapolis printer Severally Indorsed  
 By the Upper House of Assembly 17<sup>th</sup> November 1753 the In-  
 grossed Bill whereof this is the Original is read and Assented to

Major Hall from the Committee of Laws delivers to M.<sup>r</sup> Speaker the following Ingrossed Address to the Governor Viz.<sup>t</sup>

L. H. J.  
Liber No. 47  
November 17

To His Excellency Horatio Sharpe Esq.<sup>r</sup> Governor of Maryland  
The Humble Address of the House of Delegates  
May it please your Excellency

We request the favour that your Excellency will please to transmitt to the Right Honourable the Lord proprietary the Address and Representation herewith sent was read and Assented to and Signed by Orders of the House by the Honourable Speaker.

The following Address to the Lord proprietary.

To the Right Honourable Frederick absolute Lord proprietary of the provinces of Maryland and Avalon Lord Baron of Baltimore  
The Humble Address of the House of Delegates  
May it please your Lordship

we his Majestys most Loyal and Dutiful Subjects the Delegates of the Freemen of Maryland in Assembly Convened gladly embrace this Opportunity to return your Lordship our hearty thanks for your Very kind and affectionate Speech Communicated to us by your Lordships Lieutenant Governor His Excellency Horatio Sharpe Esq.<sup>r</sup> and Sincerely Congratulate your Lordship upon your Accession to the Government of this province your happy Marriage and noble and Illustrious Alliance Your Lordships declared Resolution worthy of your Birth Character and Important Station to promote the welfare prosperity and happiness of your Tenants we accept with equal gratitude and Satisfaction and beg leave to assure your Lordship that altho the Consideration of our Duty resulting from the Sacred Trust reposed in us as the Representatives of a Free people will ever make us Vigilant Careful and Tenacious of their Rights and privileges yet we shall always Cherish such a regard to your Lordships just Rights and propertys as will most effectually prevent any Attempts to impair or Violate them

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As Loyal Subjects under the Benign protection of our most gracious Sovereign whose paternal Care equally extends to all his Subjects as a free people whose Liberties are secured by the best Constitution in the universe that of our Mother Country and as Tenants to your Lordship whose real Interests are Inseperably Connected with our own and upon whose good sence and noble Sentiments of Generosity and Benevolence we greatly rely we indulge the hope of seeing our Commerce flourish our Numbers Multiply and Increase blessed with plenty and Affluence under your Auspicious Government and the Necessary effect thereof your Lordships Income augmented and from the same Considerations we presume to hope for your Lordships Countenance and favourable Notice of any Representation we may hereafter make to your Lordship of such matters

L. H. J. as we apprehend to be real grievances to us and that our rights  
 Liber No. 47 Libertys and propertys will be inviolably preserved to us and trans-  
 November 17 mitted to our posterity

Your Lordships appointment of his Excellency Horatio Sharpe Esquire to be our Governor is in every respect agreeable to us our Expectations that in his Administration he will execute the great Trust reposed in him to the honour of your Lordships Government his own Credit and Satisfaction and the ease and advantage of your Lordships Tenants are not less than your Lordships nor more than  
 p. 370 his affability and Benevolence and his Character of Integrity ability and undoubted Attachment to the present happy Establishment Deserve.

Your Lordships kind professions induce us humbly to request that your Lordship will be pleased to lay before the Honourable the Board of Trade the Representation herewith sent and to use your Lordships Interest to Obtain an Act of parliament to allow the immediate Importation of salt into this province from any part of Europe in amity with his Majesty his heirs or Successors in Ships Owned by any of his Majestys Subjects and navigated according to Law. Such an Act will be not only of great Service to your Lordships Tenants, but a means also of Seating the Western and Interior parts of his Majestys Dominions here. Which was read and Assented to and Signed by order of the House by the Honourable Speaker

The following Representation to the Lords of Trade and Plantations Viz<sup>t</sup>

To the Right Honourable the Lords of Trade & plantations

The Humble Representation of the House of Delegates of the Province of Maryland.

That by the Charter of King Charles the first of pious Memory by which this province was granted to Cæcilius Calvert Lord Baron of Baltimore in the following Clause Viz.<sup>t</sup>

“ Saving always unto us our heirs and Successors and to all the  
 “ Subjects (of our Kingdom of England and Ireland) of us our  
 “ heirs and Successors free Liberty of Fishing for sea Fish as well  
 “ in sea Bays Inlets and Navigable Rivers as in the Harbours Bays  
 “ and Creeks of the Province aforesaid and the privileges of Salting  
 “ and Drying their Fish on the Shore of the said province and for the  
 “ same Cause to Cutt and take underwood or Twiggs there growing  
 “ and to Build Cottages and Shades necessary in this behalf as they  
 “ heretofore have or might reasonably have used. which Libertys and  
 p. 371 “ privileges nevertheless the Subjects aforesaid of us our heirs and  
 “ Successors shall enjoy without any notable Damage or Injury to be  
 “ done to the said now Lord Baltimore his heirs or Assigns or to the  
 “ Dwellers and Inhabitants of the said province in the ports Creeks  
 “ and Shores aforesaid and especially in the woods and Copses grow-

“ing within the said province and if any shall do any such Damage  
 “or Injury he shall incur the heavy displeasure of us our Heirs and  
 “Successors the punishment of the Laws and shall Moreover make  
 “Satisfaction.

L. H. J.  
 Liber No. 47  
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By which it appears that at the time of granting that Charter this province was Considered as a fishing Colony and we conceive with good reason as the sea Coast thereof as well as the Bay of Chasapeak which runs through the Province together with the rivers Creeks and Branches thereof abound with great Variety of Fish which may be made a useful Branch of Trade to the Inhabitants and be of Advantage to our Mother Country by Increasing the Number of Shipping and Seamen.

That by Statute 15 Charles 2<sup>d</sup> Chapter 7 Section 6 it is provided and enacted that no Commodity of the Growth production or Manufacture of Europe shall be Imported into any Land Island plantation &c in Asia Africa or America &c but what shall be bona fide and without Fraud Shipped in England &c provided (Section 7) that it shall be Lawful to Ship and laid in Ships Navigated as in the foregoing Clause is expressed in any part of Europe Salt for the Fisheries of new England and Newfoundland &c And altho that proviso hath not hitherto been Construed to extend to this province with great Submission we Conceive ourselves to be clearly within the reason of it we beg leave further to represent to your Lordship that salt is an Article absolutely necessary for the Inhabitants of the Inland or Back parts of this province and without large Quantities of which it is impossible for them to Subsist for as they are far removed from the sea and salt rivers they are under a Necessity of giving salt to their Stocks of Horses Cattle &c

We think it needless to urge to your Lordship the necessity there is for giving all possible encouragement to seating the Western parts of this province &c

That the importation of salt from any part of Europe in amity with his Majesty his heirs and Successors into this province would be of Advantage to his British Navigation hither is Evident as the ships from Britain taking Freight to Portugal or other parts where salt may be had Cheap may take in Ballast of salt for this province and reload with Tobacco the produce thereof we therefore pray that your Lordship will take our case into your Consideration and the same recommend to his most gracious Majesty and both Houses of parliament in Order that an Act may pass Explaining the provision in the said Act of the 15 of Charles the Second Chapter 7 and Section 7 so as salt may be imported into this province from any part of Europe in Amity with his Majesty his heirs and Successors in Vessels owned by British Subjects and navigated according to Law. And this Indulgence we have reason to hope for from our most gracious Soverign and the British parliament since the like has been

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L. H. J. granted to our neighbouring province of Pennsylvania tho not by their  
 Liber No. 47 Charter a fishing Colony. which was read and Signed on Behalf of  
 November 17 the House by the Honourable Speaker.

And the following Ingrossed Address to the Governor Viz<sup>t</sup>  
 To his Excellency Horatio Sharpe, Esq; Governor and Commander  
 in Chief in and over the Province of Maryland.

The Humble Address of the House of Delegates.  
 May it please your Excellency,

It appearing to this House, by a Report from the Committee for inspecting the Proceedings of the Commissioners of the Paper Currency Office, that there is due from the several Persons therein mentioned, the Sum of 1227 l. 19 s. 1 d. 3 q. which had been received by them as Sheriffs, for Ordinary Licenses, and ought to have been paid to the said Commissioners in Virtue of the Laws by which is was received; most of which has been due for a considerable Time, we pray your Excellency will give Instructions to his Lordship's Attorney-General, to take the necessary Steps for the Recovery of such Money respectively, from those who shall Neglect to pay the same by any further Day with which your Excellency may be pleased to indulge them for the Payment thereof.

Which was read and assented to, and signed, by Order, on Behalf of the House, by the honourable Speaker.

Ordered, That Daniel Dulany, Esq; and Doctor Hamilton, do acquaint his Excellency that this House hath prepared Addresses to be presented to him, and desires to know when and where he will please to receive them: They return, and acquaint Mr. Speaker, that his Excellency was pleased to signify, that he would receive the Addresses immediately, in the Conference-Chamber.

Ordered, That Doctor Carroll, and Five more, do present the Addresses to the Governor, with the Addresses to the Lord Proprietary, and the Representation to the Lords of Trade and Plantations, and to acquaint his Excellency that no Public Business lies now before this House.

George Plater, Esq; from the Upper House, acquaints Mr. Speaker that the Governor requires the Attendance of the Lower House immediately, in the Upper House.

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Upper House, and presented to his Excellency the Governor the following ingrossed Bills [see pages 270-394].

All which his Excellency the Governor passed into Laws in the usual Form; and made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

I cannot but take Occasion, before we conclude this Session, to return you Thanks, for the Hopes you have given me of an easy



Administration, by your general Behaviour, during this long Assembly; as well as the particular Regard you have shewn to myself. Indeed the Harmony which seemed to subsist between your Two Houses, induced me to think every Thing would be amicably concluded, in respect to the Journal; and tho' Time will not permit you to put the last Hand to that Affair, at present, yet I hope the Satisfaction and Content of your Constituents, will induce you, at your next Meeting, to remove every Occasion of Dispute, between the several Branches of the Legislature. Your Disposition, which appears in your Yesterday's Address, to lend your utmost Assistance to the neighbouring Colonies, in Case of an Attack, gives me great Satisfaction: And I am persuaded you will lay no farther Stress on those Objections to the Revival of the Law for Arms, which have been so fully answered by my Predecessors.

L. H. J.  
Liber No. 47  
November 17

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As the Welfare of the Province has been your sole Care here, I doubt not but your Influence in the several Counties, will contribute to the same, which I again assure you, no one can be more truly concerned for than myself.

Gentlemen,

I have, with the Advice of his Lordship's Council of State, thought fit to prorogue this Assembly to the second Tuesday in February next; and you are to take Notice you are prorogued to that Day accordingly.

Thus endeth this Session of Assembly, this Seventeenth Day of November, Anno Domini 1753.

Test. M. Macnemara, Cl. Lo. Ho.

## ACTS OF ASSEMBLY PASSED IN OCTOBER AND NOVEMBER, 1753

Liber H. S. At a Session of Assembly begun and held at the City of Annapolis  
No. I the second Day of October in the third Year of the Dominion of  
p. 1 the Right Honourable Frederick Absolute Lord and Proprietary of  
the Provinces of Maryland and Avalon Lord Baron of Baltimore  
&c<sup>a</sup> Annoq Dom 1753 and ending the Seventeenth Day of November  
following.

The following Laws were Enacted and Assented to by his Excel-  
lency Horatio Sharpe Esquire Governor.

[No. I] An Act for the Adjournment and Continuance of Talbot-County  
Court.

Whereas some of the Justices of the said County, and also some  
of the Attorneys practising the Law in the said Court, are Members  
of the Assembly, and obliged to attend their Duty therein :

Be it therefore Enacted, by the Right Honourable the Lord Pro-  
prietary, by and with the Advice and Consent of his Lordship's Gov-  
ernor, and the Upper and Lower Houses of Assembly, and the  
[Adjourn- Authority of the same, That all Causes, Pleas, Process, and Pro-  
ment of Tal- ceedings, either Civil or Criminal, now depending in, or returnable  
bot-County to, the said County Court, to be held the First Tuesday of Novem-  
Court.] ber, in this present Year, shall be, and are, by Virtue of this Act,  
adjourned and continued, from the said First Tuesday in Novem-  
ber, until the First Tuesday of December next, and shall be in the  
same Plight and Condition as they would be on the said First Tues-  
day of November; any Law, Usage, or Custom, to the contrary  
notwithstanding.

5<sup>th</sup> Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho

On behalf of the Right  
honourable the Lord  
Proprietary of this Prov-  
ince I will this be a Law  
Hor.<sup>o</sup> Sharpe

5 Nov.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

the great seal in  
Wax Appendant

No. 2 An Act for the Advancement of Justice.

Whereas, notwithstanding the several Laws heretofore made for  
[Preamble.] the Advancement of Justice, Amendment of the Law, and aiding and  
supplying several Defects in Judicial Proceedings, great Delay,  
Trouble, and Expences have been, and still are occasioned by Demur-  
p. 2 rers, arresting and reversing of Judgments, and staying Executions  
by Writs of Error and Appeal; there being yet no sufficient Provi-  
sion made for the aiding such Omissions, Errors, and Imperfections

as are usually taken Advantage of by Special Demurrers; and also for aiding such Defects in the Entries of Clerks, as are frequently taken Advantage of, on the Prosecuting Writs of Error or Appeals, as well as divers other Advantages of other Defects, or pretended Defects or Errors, which only serve to prevent or divert the Examination of, and giving Judgment on the very Right of the Cause: For Remedy whereof,

Liber 11. S.  
No. I

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in all Actions to be commenced after the End of this Session of Assembly, the Justices of the several Courts of Law within this Province, shall proceed and give Judgment according as the very Right of the Cause and Matter in Law shall appear to them, without regarding any such Omission, Defects, Advantages, or Pre-tences as aforesaid, so as sufficient Matter shall appear in the Proceedings, upon which the Court may proceed to give Judgment according to the very Right of the Cause and Matter in Law, and that it shall appear that the Action shall be commenced after the Cause thereof shall accrue; and that no such Judgment shall be reversed or set aside, or Execution thereon delayed, for or by Reason of any such Imperfection, Omission, or Defect; any Law, Usage, or Custom, to the contrary notwithstanding.

[Judgment to be given according to the Right of the Cause, without Regard to Defects in the Action.]

Provided always, and be it Enacted, by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend, to any Writ, Declaration, or Suit of Appeal of Felony or Murder, or to any Indictment or Presentment of Treason, Felony, or Murder, or other Matter, or to any Process upon any of them, or to any Writ, Bill, Action, or Information, upon any Penal Statute.

[This Act not to extend to Treason, Felony, or Murder.]

And be it further Enacted. That in all Actions in the County Courts, where the Matter or Thing in Dispute shall not exceed the Sum of Twenty Pounds Sterling Money, or Five Thousand Pounds of Tobacco, the Justices of the County Court, where such Action shall be brought, may and shall (at the Prayer of either Plaintiff or Defendant, either before or after Judgment, or Verdict of a Jury, at Common Law), hear and determine the same, according to the Rules of Equity and good Conscience, as fully and amply as the Chancellor, or Keeper of the Great Seal might do in any Case within the Jurisdiction of the Chancery Court; any Law, Usage, Verdict of a Jury, or Custom, to the contrary notwithstanding.

[Actions for 20l. Sterling or 5000 lbs of Tobacco, may be chancized in the County Courts.]

p. 3

And be it Enacted, That where any Person or Persons is or are bound in any Bond, or other Obligation, for the Payment of Money, Tobacco, or other Goods, or indorse any Bill of Exchange that shall be Protested, and the Money, Tobacco, or other Goods, or such Part thereof as shall be unpaid by the principal Debtor, shall be paid or tendered by the Surety or Indorser, that the Oblige or Indorsee shall be obliged to assign such Bond, Obligation, or protested Bill, to the

[The Oblige, or Indorsee, to assign the Obligation to the Surety, on tendering the Sum sued for, &c.]

Liber H. S. Surety paying or tendering the Money, Tobacco, or other Goods, due  
No. I as aforesaid; and that the Assignee shall and may by Virtue of such  
Assignment and this Act, have an Action in his or her own Name,  
against the principal Debtor; any Law, Usage, or Custom, to the  
contrary notwithstanding.

[Judgment given  
against and  
satisfied by  
Sureties,  
&c:] And be it Enacted, That where any Person or Persons hath recov-  
ered, or shall recover, any Judgment against the principal Debtor  
and Surety, and such Judgment hath been, or shall be, satisfied by  
Sureties, that the Creditor shall be obliged to assign such Judg-  
ment to the Surety satisfying the same, and that the Assignee shall  
be entitled unto, and have the same Execution against the principal  
Debtor, by Virtue of such Assignment and this Act, as the Credi-  
tor might or ought to have had; and that where any Judgment hath  
been, or shall be, rendered against several Sureties, and one of them  
hath satisfied, or shall satisfy the whole, the Plaintiff, or Creditor  
shall be obliged to assign such Judgment to the Surety satisfying the  
same, and that the Assignee shall have, and be entitled to an Execu-  
tion against the other Sureties, against whom Judgment hath been,  
or shall be, obtained by the principal Creditor, for a proportionable  
Part of the Debt or Damage paid by such Assignee; any Law, Usage,  
or Custom, to the contrary notwithstanding. Provided always, That  
no Defendant, or Defendants, shall be precluded or debarred of his  
or their Remedy against the Plaintiff, by Audita querela, or other  
Proceeding whatsoever; any Thing in this Act to the contrary  
notwithstanding.

[Bonds, &c.  
may be as-  
signed and  
the Assignee  
to maintain  
an Action.] And be it Enacted by the Authority aforesaid, That upon all  
Bonds, or other Obligations, under Seal, that have or shall be assigned  
under Hand and Seal, the Assignee shall and may, by Virtue of such  
Assignment, maintain an Action or Actions in his or her Name,  
against the Obligor or Obligor therein named; and if it shall happen  
that such Obligor or Obligor shall be unable to pay, the Debt men-  
tioned in such Obligation, or cannot be found in the Place or County  
p. 4 of his usual Abode, or any other Thing or Casualty should happen,  
whereby the Assignee should not be able to receive or recover his  
Debt from such Obligor or Obligor, that then, and in every such  
Case, the like Action shall and may be maintainable, by such Assignee,  
against the Obligor or Obligor in such Obligation mentioned; any  
Law, Usage, or Custom, to the contrary notwithstanding. Provided,  
That where any Debt shall be lost by the Negligence or Default of the  
Assignee or Assignees, that the Assignor or Assignors shall not be  
liable, any such Assignment notwithstanding.

[No Action  
to be main-  
tained but by  
the Oath of  
the As-  
signor.] Provided also, That no Action or Actions shall be maintained in  
the Name or Names of any Assignee or Assignees, unless the  
Assignor or Assignors have made or shall make Oath (or Affirma-  
tion, if a Quaker) before some Magistrate, that he, she, or they, hath  
or have received no Part of the Sum mentioned in such Obligation,

or but such Part thereof as shall be mentioned in such Oath or Affirmation, at the Time of making any such Assignment, to be indorsed on such Bond or Obligation. Liber H. S. No. I

And be it likewise Enacted, That any Person knowingly swearing or affirming falsely in the Premises, and being thereof convict by due Course of Law, shall suffer as in the Case of wilful and corrupt Perjury. [Perjury punished.]

And be it further Enacted, by the Authority aforesaid, That an Attorney being concerned for either Plaintiff or Defendant, in any Cause of Equity to be heard before the County Courts as aforesaid, shall have and receive One Hundred Pounds of Tobacco, where the Debt doth not exceed Ten Pounds Sterling, or Two Thousand Five Hundred Pounds of Tobacco; and where the Debt doth exceed Ten Pounds Sterling, or Two Thousand Five Hundred Pounds of Tobacco, in any such Case, the Quantity of Two Hundred Pounds of Tobacco, and no more. [Attorneys Fees.]

This Act to continue for Three Years, and unto the End of the next Session of Assembly which shall happen after the End of the said Three Years. [Continuance.]

9<sup>th</sup> Novem<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 3 An Act continuing an Act entituled, An Act for the Gauge of Barrels, for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread. p. 5

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act for the Gauge of Barrels, for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread; made at a Session of Assembly begun and held at the City of Annapolis, the Fifth Day of August, Seventeen Hundred and Forty-five, be, and is hereby continued to be and remain, in full Force, for and during the full End and Term of Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years. [An Act continued.]

9<sup>th</sup> Novem<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

- No. 4 An Act continuing an Act entituled, An Act to remedy some Evils  
 relating to Servants.

H. S.  
 No. 1

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act to remedy some Evils relating to Servants; made at a Session of Assembly begun and held at the City of Annapolis, the Eighth Day of May, Anno Domini One Thousand Seven Hundred and Fifty, be, and is hereby continued to be and remain, in full Force, for and during the full End and Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

[An Act  
 continued.]

9<sup>th</sup> Novem<sup>r</sup> 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Propy of this Province  
 I will this be a Law  
 Hor.<sup>o</sup> Sharpe

9 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

- No. 5 An Act continuing an Act entituled, An Act to prevent the ill Prac-  
 p. 6 tices of Sheriffs, in the Collecting and Payment of the Public and  
 County Levies.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act entituled, An Act to prevent the ill Practices of Sheriffs, in the Collecting and Payment of the Public and County Levies, made at a Session of Assembly, begun and held at the City of Annapolis the Twenty-first Day of September, Anno Domini One Thousand Seven Hundred and Forty-two, be, and is hereby continued to be and remain in full Force, for and during the Continuance of an Act entituled, An Act for emitting and making Current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit.

[An Act  
 continued.]

9<sup>th</sup> Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honble the Lord Propy  
 of this Province I will  
 this be a Law  
 Hor.<sup>o</sup> Sharpe

9 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 2 An Act for Tryal of all Matters of Fact, in the several Counties where they have arisen, or shall arise. Liber II. S. No. I

Whereas, the Tryal of Facts in the Neighbourhood where they arise, is the greatest Security of the Lives, Liberties, Fortunes, and Estates of the Subjects, most agreeable to the British Constitution, and a very great Ease to all Persons concerned; and that the Increase of Business in the Provincial Court, renders the Decision of Causes there, without very great Delay and Expence, impracticable: [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Two Justices of the Provincial Court, on each Side of the Bay (such as the Governor or Commander in Chief, for the Time being, shall think fit to appoint), shall be Justices of Assize, Nisi prius, and Justices of Oyer and Terminer and Goal Delivery; and that the said Two Justices, or either of them (in Case of Sickness or other Inability), shall and may, at the respective Times in this Act mentioned, hear and try all Matters of Fact, in all Actions real, personal, and mixt, and all Actions popular, for the Breach of any Law, that is now depending, or that shall be commenced in the Provincial Court, in the several Counties where the Facts have arisen or shall arise, except in such Causes where it shall appear that Justice cannot, in all Probability, be so equally administered to the Parties as if Tryal should be appointed in some other Place, as fully and amply as any Justices of Assize and Nisi prius in England used, or by Law ought, or may try, hear, and determine; and that all Treasons, Murders, Felonies, and other Crimes, Offences, and Misdemeanours, of what Nature or Quality soever, that have been, or by Law might be tried in the Provincial Court, shall be heard, tried, and determined, by the said Justices in the several Counties where they shall be committed, as fully and amply as the said Offences, or any of them, might have been tried, heard, and determined, by the Provincial Court, or any Court of Oyer and Terminer and Goal Delivery, according to the Laws of England, and this Province. [Two Provincial Justices, on each Side of the Bay, to hear and determine all Matters of Fact, &c. in the several Counties.] p. 7

Provided always, That nothing in this Act shall be construed to divest the County-Courts of any Jurisdiction they have, and that they may hear and determine all Matters and Things within their Cognizance, as they have heretofore done: any Thing in this Act to the contrary notwithstanding. [Jurisdiction of the County Courts.]

And be it Enacted, That Two of the Provincial Justices to be appointed as aforesaid, on the Western Shore, or One of them, in Case of the Other's Sickness or Inability, shall meet and hold their Courts, at Baltimore County Court-House, the First Tuesdays in April and September yearly; at Annapolis, for Anne-Arundel County. [Times and Places, when and where the Assizes are to be held.]

Liber H. S. the Mondays after the said First Tuesdays; at Calvert County Court-  
 No. 1 House, the Mondays after the Second Tuesdays of the said Months;  
 at Saint Mary's County Court-House, the Thursdays after the Third  
 Tuesdays in the said Months; at Charles County Court-House, the  
 Mondays after the Third Tuesdays in the said Months; at Prince  
 George's County Court-House, the Thursdays after the Fourth Tues-  
 days in the said Months; and at Frederick County Court-House, the  
 Wednesdays following. And that Two of the Provincial Justices, on  
 the Eastern Shore, to be appointed as aforesaid, or One of them,  
 in Case the Other should be sick, or incapable to attend, shall meet  
 and hold their Courts, at Worcester County Court-House, on the  
 Thursdays before the First Tuesdays, in the Months of April and  
 September yearly; at Somerset County Court-House, the First Tues-  
 days of the said Months yearly; at Dorchester County Court-House,  
 p. 8 the First Mondays after; at Talbot County Court-House, the Thurs-  
 days after the Second Tuesdays; at Queen-Anne's County Court-  
 House, the Wednesdays after the Third Tuesdays, at Kent County  
 Court-House, the Mondays after the Third Tuesdays in the same  
 Months; and at Cæcil County Court-House, the Fridays following;  
 to hear, determine, and dispatch, such Business as shall be before  
 them.

[Declara- And be it further Enacted, That in all Actions now depending in  
 tions to be the Provincial Court, where the General Issue, or other General Plea,  
 filed in tending to an Issue on the Country, is pleaded, the Issues shall be  
 Thirty made up and compleated by the Tenth Day of January next; and  
 Days after that all Declarations in Actions to be commenced in the Provincial  
 Appearance Court, shall be filed with the Clerk, within Thirty Days after every  
 Court.] Appearance Court, and the Issue made up where the General Issue,  
 or other General Plea, tending to an Issue on the Country shall be  
 pleaded, shall be made up within Thirty Days after the Filing the  
 Declaration; but where special Pleadings are necessary, the Court,  
 upon Motion, may grant such Time as may be thought reasonable;  
 and that the Plaintiff, in every Cause to be tried before the said  
 Justices, shall give the Defendant or his Attorney, Notice in Writ-  
 ing, Fourteen Days before the First Tuesdays in April and Septem-  
 ber yearly, of his Intention to insist on a Tryal, and that if after  
 such Notice given, the Causes shall be delayed until another Assizes,  
 the Party causing such Delay, shall pay all the Cost and Charge  
 that shall be occasioned thereby.

[Grand and And be it Enacted, That the several Sheriffs shall summons Fifty  
 Petit Juries to be summoned Ten Days before the Assizes begin.] of the most capable and substantial Freeholders within their Baili-  
 wicks, ten Days before the Assizes shall begin in the respective  
 Counties, as Grand and Petit Jurors; and that every Freeholder that  
 shall be so summoned, and shall neglect or refuse to appear, shall  
 incur the same Penalties and Forfeitures, as Jurors summoned to  
 attend the Provincial Court are liable to, rating Tobacco at Ten



Shillings per Hundred; and that no Person that is not incapable or disqualified by Law to serve as a Juror, shall have any Exemption, except Counsellors, Delegates, Provincial Justices, Clergymen, and practising Physicians or Surgeons; nor shall Grand Jurors be exempt from serving as Petit Jurors in Civil Cases, at the same Assizes of Oyer and Terminer and Goal Delivery, they are returned to serve in; and that every Grand Jury shall have an Allowance of Five Hundred Pounds of Tobacco for every Assize, and every Petit Juror Twenty Pounds of Tobacco, for every Day's Attendance, to be assessed in the County Levy as usual, besides the full Fees for Verdicts in Civil Cases.

Liber H. §.  
No. I

And to prevent Partiality by Grand Jurors, Be it Enacted, That the Name of every Person summoned as a Juror, shall be written in several distinct Pieces of Paper, being as near as may be of equal Size and Bigness, and shall be delivered to the Clerk of Assize, or such other Person as the said Justices shall appoint; and by the Care of the Clerk, or such Person as shall be appointed as aforesaid, all rolled up as near as may be in the same Manner, and put into a Glass or Box to be provided for that Purpose, and that the said Justices, in open Court, shall direct to be drawn by some indifferent Person out of the said Glass or Box, a sufficient Number for a Grand Jury, and that such Persons as shall be drawn, and then appear, shall be Grand Jurymen, and none others.

p. 9

[Manner of  
Chusing the  
Grand  
Jurors.]

Provided, That in Case any of the County Magistrates, or their Clerk, should be drawn, they shall not be of the Grand Jury, but that others shall be drawn in the Place of any Magistrate, or County Clerk, that should happen to be drawn.

[Magis-  
trates not to  
be of the  
Grand  
Jury.]

And to prevent Partiality in Tryals by Jurors, Be it Enacted, That the Name of each and every Person, who shall be summoned and impanelled as a Petit Juror, shall be written in several distinct Pieces of Paper, being as near as may be of equal Size and Bigness, and shall be delivered to the Clerk of Assize, or such other Person as the said Justices shall appoint, and by the Care of the Clerk, or such Person as shall be appointed as aforesaid, be all rolled up as near as may be in the same Manner, and put into a Glass, or Box, to be provided for that Purpose; and when any Cause shall be brought on to be tried, some indifferent Person, by Direction of the Court, may and shall, in open Court, draw out Twelve of the said Papers one after another, and if any of the Persons whose Names shall be so drawn, shall not appear, or be challenged and set aside, then such further Number, until the Twelve Persons shall be drawn, who shall appear, and after all Causes of Challenge shall be allowed, as fair and indifferent, and the said Twelve Persons so drawn, and appearing, and approved as indifferent, their Names being marked in the Panel, and they being sworn, shall be the Jury to try the same Cause; and the Names of the Persons so named, and drawn, and sworn, shall

[Manner of  
chusing the  
Petit  
Jury.]

Liber H. S. be kept in some other Box or Glass, to be kept for that Purpose, 'til  
 No. I such Jury shall have given in their Verdict, and the same is recorded,  
 or until such Jury shall by Consent of Parties, or Leave of the Court,  
 be discharged; and then their Names shall be rolled up again, and  
 p. 10 returned to their former Box or Glass, there to be kept with the  
 other Names remaining at that Time undrawn, and so as often, and  
 as long as any Cause shall remain then to be tried. Provided always,  
 That if any Cause shall be brought to Tryal, before the Jury in any  
 other Cause shall have brought in their Verdict, or be discharged, it  
 shall and may be lawful for the Court to order Twelve of the Residue  
 of the said Papers, not containing the Names of any of the Jurors  
 who shall not have brought in their Verdict, or be discharged, to be  
 drawn in such Manner as is aforesaid, for the Tryal of the Cause,  
 which shall be so brought on to be tried.

And to the End that the Sheriffs may be obliged to discharge  
 their Duty in returning the best and most capable Freeholders to be  
 [Sheriffs to be fined for neglecting to return proper Persons for Jurors.] Jurymen, Be it Enacted, That every Sheriff who shall neglect to  
 return the best and most capable Freeholders, for Grand and Petit  
 Jurymen, except as before excepted, shall for every such Neglect be  
 fined by the Justices of Assize at their Discretion, not exceeding  
 Twenty-five Pounds Current Money of Maryland, to be applied to  
 defray the County Charge.

And be it Enacted, That each Justice of Assize shall be allowed  
 [Judges Allowance.] by the Public, Seven Thousand Pounds of Tobacco, to be paid in the  
 Counties respectively where they reside, for every Circuit, and no  
 more.

And be it Enacted, That it shall and may be lawful for the said  
 [Justices empowered to make Rules and Orders.] Justices to make all such Rules and Orders, as may be convenient and  
 necessary for the Furtherance of Justice and Right, and to impose  
 reasonable Fines, Forfeitures, and Penalties, upon such as shall trans-  
 gress them. Provided always, That such Rules shall be agreeable to  
 the Laws of England and this Province; and that all Sheriffs, Bailiffs,  
 and other Officers, and Persons whatsoever, shall yield due Obedience  
 to all Process, Warrants, and Precepts, that shall be issued by or  
 returnable to the said Justices.

And be it Enacted, by the Authority, Advice and Consent afore-  
 said, That the Justices of Assize, Nisi prius, and Goal Delivery, shall,  
 in all Civil Cases to be tried before them, where any Person concerned  
 shall desire the same, allow and direct special Verdicts to be  
 [Special Verdicts.] found.

And be it further Enacted, by the Authority, Advice and Consent  
 aforesaid, That the said Justices shall in all Criminal Cases to be tried  
 before them, where any Person or Persons accused or prosecuted  
 shall desire the same, sign and allow Bills of Exception; and that in  
 [Bills of Exception allowable.] all Cases where Bills of Exception are allowed, no Judgment shall

be rendered until the next Provincial Court, to the Consideration of which Court it is to be referred; any Law, Usage, or Custom, to the contrary notwithstanding. Liber H. S.  
No. I

And be it further Enacted, That where any General Verdict shall be found in any Criminal Case, against any Person before the said Justices, wherein the Judgment is not certainly known and settled by Law, or wherein the said Justices, or either of them, shall be in any Doubt, or under any Difficulty, what Judgment to give upon such Verdict, that then and in such Case no Judgment shall be given, but that the Judgment be referred to be given on such Verdict to the Consideration of the Provincial Court, who shall and may give Judgment. [Where the Justices are doubtful, Judgment to be referr'd to the Provincial Court.]  
p. 11

And to the End that the Justices of Assize, Nisi prius, Oyer and Terminer and Goal Delivery, may not be hindered from proceeding in the Decision of Matters not determinable elsewhere (which the Time allowed by Law for their Session is hardly sufficient to dispatch), in hearing petty Offences, triable in the County Courts;

Be it Enacted, That all Felonies, Trespasses, and other evil Deeds, triable in the County Courts by the Laws now in Being, shall be tried, heard, and determined, by the County Courts, and not elsewhere; except Affrays and other Offences to be committed in the View of the Justices of Oyer and Terminer, or during their Sitting. Provided always, and be it Enacted by the Authority aforesaid, That it shall and may be lawful for the Justices of the Provincial Court, for the expediting the Causes to be tried before them, to order the Sheriff of Anne-Arundel County, immediately to summon a compleat and sufficient Number of good and lawful Men de Circumstantibus, and not less than Twenty-four in Number, to serve as Jurors, and return a Pannel of them, for the Tryal of any Issue so to be had and tried before the said Justices of the Provincial Court, and that they shall be ballotted in the same Manner that Petit Jurors are before by this Act directed to be at the Assizes; and that the first Twelve Jurors that shall be drawn, shall be the Jury to try the Cause, unless some legal Exception, by either Plaintiff or Defendant, be made against any of the said Twelve Jurors; in which Case, others in their Room shall be in like Manner drawn, in the Stead of those to whom legal Exception shall be made. Provided, That where any Presentment shall be found by the Grand Jury, at any Court of Oyer and Terminer, for a Matter triable by the County Court, and that shall by the Justices of Oyer and Terminer, be referred to the County Courts for Tryal, the Party presented shall not be obliged to pay any Fees or Charges, except what shall arise in the Prosecution in the County Court; any Law, Usage, or Custom, to the contrary notwithstanding: Saving to all Persons accused before the Justices of the County Courts, the Benefit of Writs of [Matters determinable in the County Courts to be tried in the County Courts.]  
  
[Sheriff of Anne Arundel County to return 24 Persons, out of whom is to be impanelled a Jury.]

Liber H. S. Removals to, and Tryals in, the Provincial Courts, or before the  
No. I Justices of Oyer and Terminer, and Goal-Delivery.

And whereas, by an Act for the Advancement of Justice, it is  
p. 12 Provided and Enacted. That in all Actions to be commenced in the  
Provincial Court, for the Recovery of any certain Sum of Money or  
Tobacco, within the Jurisdiction of that Court wherein the Plaintiff  
shall be desirous of a speedy Tryal, that if the Plaintiff should send  
a Copy of the Declaration in the Case, with the Writ, and cause the  
same to be served on, or delivered to the Defendant, or left at his or  
her last Place of Abode, Twenty Days at the least before the Appearance  
Court, it should be lawful for the Justices of the said Court, and  
they are by that Act required to proceed to Tryal the same Court;  
and if the Defendant should refuse or neglect to answer or plead, to  
render Judgment for the Plaintiff, with Cost of Suit, unless sufficient  
Cause should be shewed by the Defendant why there should be an  
Imparlance; and that as Jurors are not summoned to the Provincial  
Courts, but the Facts tried in the several Counties where they have  
arisen, or shall arise, so that when the Defendant pleads any Matter  
of Fact triable by a Jury, the Issue cannot be tried at the Appearance  
Court:

[Where the Cause is to be tried when no Occasion appears for an Imparlance.] Be it therefore Enacted and Declared, That where Copies of Declarations are served, or left according to the Directions of the said Act, and no sufficient Cause shewn for an Imparlance, and that the Defendant should plead a Matter of Fact which is required to be done at the Appearance Court, that then and in such Case, the Fact shall be tried at the first Assizes that shall happen after the Appearance Court in the County where the Fact hath arisen or shall arise; any Law, Usage, or Custom, to the contrary notwithstanding.

[Affidavit of Witnesses unable to attend the Assizes, as valid as if the Deposition of such Witness was personally given in Court.] And whereas, Justice may be delayed, or People lose their Rights for want of the Testimony of Witnesses, who may happen to be so sick or impotent, as to be unable personally to attend at the Tryal of Causes, to give their Evidence, viva voce, without apparent Hazard of their Lives or Healths; Be it therefore Enacted, by the Authority, Advice, and Consent aforesaid, That where any Witness shall be summoned by any Plaintiff or Defendant, and shall be really so impotent, sick, or infirm, that he or she shall not be able to attend, according to such Summons, without the apparent Hazard of the Life or Health of such Witness (to be made appear to the Satisfaction of the Court), that then and in every such Case, the Party summoning such Witness may have the Affidavit on Oath, or Affirmation if the Witness be a Quaker, of such sick or impotent Witness, taken before any Magistrate not being of kin to the Parties, and that any Affidavit so taken, (the adverse Party always having timely Notice and Opportunity to cross-examine such Witness,) shall be received as Evidence  
p. 13 on the Tryall of the Cause wherein such Witness shall be summoned,

as if the Witness was present, and should deliver his or their Testimony viva voce; any Law, Custom, or Usage, to the contrary notwithstanding. Provided always, That if any such Witness shall wilfully and corruptly swear or affirm falsely, that then, and in every such Case, he or she shall be liable to the same Prosecution, Penalty, and Forfeiture, as Persons guilty of, or committing corrupt and wilful Perjury are liable to. Liber H. S.  
No. I

And be it further Enacted, That the Provincial Courts shall be held, during the Continuance of this Act, on the Third Tuesdays in May and October, Yearly, at the City of Annapolis. [Time of  
Provincial  
Courts.]

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That that Part of an Act of Assembly Entituled, An Act causing Grand and Petit Jurors to come to the Provincial and County Courts, and ascertaining their Allowances, made at a Session of Assembly begun and held at the City of Annapolis, the Twenty-sixth Day of April, Anno Domini, Seventeen Hundred and Fifteen, which relates to summoning Grand and Petit Jurors to attend at the Provincial Courts, be, and is hereby repealed and made void. [Part of an  
Act re-  
pealed.]

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That the Secretary for the Time being shall cause every Record that shall be ordered by any Attorney of the Provincial Court, to be made out for any Tryal of any Issues at the Assizes, to be transmitted to the Clerk of Assize of the Circuit where the Issue is to be tried, (who by this Act is obliged to receive and carry the same to the Circuit) before the Assizes for that Shore, where the Issue is to be tried, begins, under the Penalty of paying to the Party that suffers, for Want of the Record being transmitted, such Costs and Damages as shall be by the Justices of his Lordship's Provincial Court, judicially fitting, ordered and adjudged; which said Justices are hereby, upon Complaint made to them, required after a summary Manner, to proceed to Judgment thereon. [Duty of the  
Secretary  
in Regard to  
Records.]

Provided always, That the Secretary shall not be obliged to answer any Damages or Cost, to any Person by Virtue of this Act, unless Orders in Writing for transmitting the Record as aforesaid, be left with the Clerk of the Provincial Court, at least Thirty Days before the Beginning of the Assizes on the Shore where the Issue is to be tried. [Proviso.]

And be it likewise Enacted, That the several Allowances and Penalties herein before mentioned to be made to the Judges and Jurors in Tobacco, shall and may be paid by the Inhabitants of this Province, in Current Money, in the same Manner as other Public and County Levies and Charges are payable. [Allowance  
to Judges,  
&c. may be  
paid in  
Money.]

And be it further Enacted, That all Actions now depending in the Provincial Court, of what Nature soever, shall be, and are, by this Act, continued, until the Third Tuesday in May next, and that all P. 14

Liber H. S. Writs, Process, and Precepts, already issued, or to be issued, out of  
 No. 1 the Provincial Court, returnable to the Second Tuesday of April,  
 shall be returnable to the said Third Tuesday in May; and that all  
 [Writs, &c. Sheriffs, Coroners, and other Officers, that have arrested, or shall  
 returnable to be return'd arrest, any Person or Persons, by Virtue of any Writ or Process,  
 in May.] returnable to the Second Tuesday of April, shall be under the same  
 Obligation, to have the Party arrested, at Annapolis, the Third Tues-  
 day in May; and that all Bail Bonds, taken by any Sheriff or Coroner,  
 for the Appearance of any Person or Persons, at the Second Tues-  
 day in April next, shall be taken, to all Intents, Constructions, and  
 Purposes whatever, and be of the same Force, and Effect, as if the  
 said Bail Bonds had been, or shall be, taken, for the Appearance of  
 such Person or Persons, at the said Third Tuesday in May next; any  
 Thing to the contrary hereof notwithstanding.

And whereas, since last Provincial Court, sundry Persons have  
 been committed for Crimes and Misdemeanors by them done, and  
 [Witnesses bound over since last Provincial Court.] Witnesses have been bound over to testify against such Persons at  
 next Provincial Court; Be it therefore Enacted, That all such Com-  
 mitments and Recognizances, returnable before the said Provincial  
 Court, shall be obliged to be returned by the respective Magistrates,  
 taking such Recognizances, before the Judges of Assize, in the respec-  
 tive Counties where the Offences have been committed, and the  
 Offenders and Witnesses be obliged to appear, by Virtue of said  
 Recognizances, accordingly.

This Act to continue for Three Years, and unto the End of the  
 [Continu- next Session of Assembly, which shall happen after the Expiration  
 ance.] of the said Three Years.

9<sup>th</sup> Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Prov-  
 ince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

9 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 6 An Act continuing an Act entitled, A Supplementary Act to the  
 p. 15 Act entitled, An Act ascertaining the Height of Fences, to pre-  
 vent the Evil occasioned by the Multitude of Horses; and restrain-  
 ing Horse-Rangers within this Province; and to redress the great  
 Evil accruing to this Province by the Multiplicity of useless Horses,  
 Mares, and Colts, that run in the Woods.

Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 [An Act continued.] and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of the  
 same, That an Act of Assembly of this Province entitled, A Supple-  
 mentary Act to the Act entitled, An Act ascertaining the Height of

Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse-Rangers within this Province; and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods; made at a Session of Assembly, begun and held at the City of Annapolis the Eighth Day of May, Anno Domini Seventeen Hundred and Fifty, be, and is hereby continued to be and remain in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

9<sup>th</sup> Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon.<sup>ble</sup> the Lord Propy  
of this Province I will  
this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

No. 7 AN Act continuing an Act entitled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto.

Whereas, an Act of Assembly of this Province entitled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly, begun and held at the City of Annapolis the Twenty second Day of June, Anno Domini One Thousand Seven Hundred and Fourteen, and also one other Act entitled, A Supplementary Act to the Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly, begun and held at the City of Annapolis the Third Day of October, One Thousand Seven Hundred and Twenty Eight, are found by Experience, to be good and beneficial Acts for the Inhabitants of this Province:

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said Acts of Assembly to continue for Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

9<sup>th</sup> Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon.<sup>ble</sup> the Lord Propy.  
of this Province I will  
this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

No. 8 An Act to prevent Masters of Ships and Vessels from clandestinely  
 Liber H. S. carrying Servants and Slaves, or Persons indebted, out of this  
 No. I Province.

[Preamble.] Whereas divers Servants and Slaves, belonging to the People of this Province, and Persons Indebted therein, have been carried away out of the same Province, in Ships or Vessels trading therein, to the great Loss and Damage of his Majesty's Subjects, the good People of Maryland: To prevent therefore so great an Evil, it is prayed that it may be enacted;

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and [Masters of Vessels, when they enter, to be sworn, that they will not clandestinely carry away any Servants &c.] the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, when, and as often as, any Commander, or Master of a Vessel, above Eighteen Feet by the Keel, shall come to enter with, or take out a Permit from, any Naval-Officer within this Province, or the Limits or Precincts thereof, it shall not be lawful for such Naval-Officer, to suffer such Commander, or Master, to enter such his Vessels with him or them, or grant him or them a Permit to trade within the said Province, until such Commander, or Master, shall have taken the following Oath, on the Holy Evangels of Almighty God, or Affirmation if a Quaker, which Oath, or Affirmation, such Naval-Officer or [The Oath.] Officers are hereby impowered to administer, viz. "I A. B. Commander of the Ship or Vessel C. will not clandestinely conceal, or permit to be concealed, on board my Ship or Vessel, during my stay within this Province, any Servant, or Slave, belonging to any Inhabitant or Inhabitants thereof, nor will wittingly or willingly carry away, out of this Province, any Servant or Slave, or Servants or Slaves, p. 17 belonging to any Inhabitant or Inhabitants thereof, or any Person or Persons Indebted therein, common Sailors excepted, contrary to the Laws of this Province. So help me God."

And be it likewise Enacted, That no Master of a Vessel coming [Slaves, &c. not to be suffer'd on board Vessels;] into this Province, and entering to trade therein, shall suffer any Slave or Slaves, Servant or Servants, to frequent his or their Vessel or Vessels, or come on board or conceal such Servant or Servants, or Slave or Slaves, on board such his or their Ship or Vessel, or Ships or other Vessels; and in Case any Servant or Servants, Slave or Slaves, shall be kept or concealed on board any Ship or Ships, Vessel or Vessels, coming into, and trading within this Province, for the Space of One Hour or longer, the Master or Commander of such Ship or Vessel, shall forfeit and pay at the rate of Twenty Shillings Current Money, for every Hour each Servant or Slave shall be suffered to frequent his or their Vessel, or be kept or concealed on board his or their Vessel, to the Party owning such Servant or Slave, or Servants or Slaves, the same to be recovered, in a summary Way before One Justice of the Peace, with Costs.



Provided always, That it shall and may be lawful for any Master, Liber H. S. No. I  
of Commander, of any Ship or Vessel coming into, or trading within, this Province, to hire any Servant or Slave, Servants or Slaves, from any Inhabitant within this Province, to work on board such his or their Ship and Vessel, or Ships and Vessels; any Thing in this Act contained to the contrary thereof in any wise notwithstanding. [Except on hire.]  
“Provided nevertheless, and it is hereby Enacted and Declared, That where it shall happen, the Master of such Ship or Vessel as aforesaid, shall by Reason of Sickness be rendered unable to attend on such Naval-Officer, that then and in such Case, the chief Mate or next Officer of such Ship or Vessel, shall be admitted to make Entry of the said Ship or Vessel; and that afterwards, the said Master, as soon as he is able, and before the Clearing of the said Ship or Vessel, shall be, and is hereby obliged to take the said Oath, or Affirmation if a Quaker, as aforementioned.”

This Act to continue for Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years. [Continuance.]

9<sup>th</sup> Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honble the Lord Propy  
of this Province I will  
this be a Law

Hor.<sup>o</sup> Sharpe

9 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

the great seal in  
Wax Appendant

No. 9 An Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather or otherwise, from Landings or Moorings. p. 18

Whereas it often happens that Flats, Boats, and other Vessels, are by Stress of Weather, or by Ice, drove from Landings, Moorings, and Harbours, into the Bay, and from one River to another, and are taken up by Persons who secrete such Boats or Vessels: To the Intent therefore that the proper Owners may not be deprived of their Property; [Preamble.]

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the last Day of March next, where any Person or Persons shall discover, take up and secure any Flat, Boat, or other Vessel, drove from any Place of Mooring, Landing, Harbour, or River, or from any other Vessel, such Person or Persons shall, and they are hereby obliged, in Ten Days after such discovery, taking up, and securing as aforesaid, to give Notice thereof to some Justice of the Peace, for the County where such Flat, Boat, or other [Boats, &c. taken up, to be described and advertised in the Maryland Gazette.]

Liber H. S. Vessel, is taken up and secured as aforesaid, which said Justice of  
 No. I the Peace shall, and he is hereby required to deliver, to the Party  
 giving such Notice, an Advertisement, describing in the best Man-  
 ner, the Built and Marks of such Flat, Boat, or other Vessel, and the  
 Name of such Person, and Place of his Abode; Copies of which  
 Advertisement the said Party shall, within Ten Days after the Date  
 thereof, cause to be set up in the most public Places of the said  
 County, and within Thirty Days after such Date, procure the same  
 to be inserted in the Maryland Gazette, and shall deliver the same  
 Boat, or other Vessel, to the Owner thereof, upon Payment of  
 reasonable Cost and Charges for the same; he, or they, first proving  
 the Property, by his, or their, own Oath, or otherwise, before some  
 Justice of the Peace.

And be it further Enacted, That if any Person or Persons, after  
 [Penalty for the said last Day of March, shall take up and secure, any Flat, Boat,  
 neglecting.] or other Vessel, drove from any Place of Mooring, Landing, or  
 Harbour, or from any other Vessel, and shall not do, and perform,  
 what is by this Act required, shall forfeit and pay to the Owner or  
 Owners of such Flat, Boat, or Vessel, the Sum of Fifty Shillings  
 Current Money, to be recovered in a summary Way, before One  
 Justice of the Peace of the County where the Party accused doth  
 reside.

Provided always, That in Case any such Flat, Boat, or other Ves-  
 [Proviso.] sel, shall be taken up on the East Side of Chesapeake-Bay, or the  
 p. 19 North Side of Susquehanna-River, in the Winter Season, when it  
 may so happen that by Reason of the Ice, no Intercourse may be  
 had with the City of Annapolis; that then, and in such Case, it shall  
 and may be lawful for the Person or Persons taking such Flat, Boat,  
 or other Vessel into his, or their Custody, or Care, to cause such  
 Advertisement, as is herein before directed, to be inserted in the  
 Maryland Gazette, within Thirty Days after the Obstruction of such  
 Intercourse or Communication with the said City of Annapolis, shall  
 or may be removed.

This Act to continue for Three Years, and unto the End of the  
 [Continu- next Session of Assembly, which shall happen after the Expiration  
 ance.] of the said Three Years.

9th November 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly

Signed p Order  
 M Macnemara Cl lo ho

On behalf of the Right  
 Honble the Lord Propy.  
 of this Province I will  
 this be a Law

Sam. Ogle

the great seal in  
 Wax Appendant

9 Novem.  
 Read and Assented to  
 by the Upper House of  
 Assembly

Signed p Order  
 J. Ross Cl Up Ho.

No. 10 An Act for the Relief of Thomas Barkley, a languishing Prisoner, in Kent County Goal. Liber H. S.  
No. I

Whereas Thomas Barkley, of Kent County, by his humble Petition to this General Assembly, hath set forth, That he has, Four Years and upwards, been closely confined in Kent County Goal, for Debt, and not having Effects, nor capable by Friends, or any Means whatever, to raise a Sum sufficient to comply with the just Claims of his Creditors, and being willing to deliver up what little he has in Discharge thereof, he humbly prays Relief by an Act to be passed in his Favour: And for, that the Truth of the said Petitioner's Allegations is made appear to this present General Assembly, and that his lying in Goal can be no Benefit to his Creditors, and forasmuch as the Sheriff of Kent County aforesaid, and the principal and greatest Number of the Creditors of the said Thomas Barkley, have signified their Willingness for the Releasement of the said Thomas, by recommending and signing his Petition to his Excellency the Governor, and the Upper and Lower Houses of Assembly, of this Province: Therefore it is humbly prayed that it may be enacted, [Preamble.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That unless all or any of the Creditor or Creditors of the said Thomas Barkley, or the Attorney of such Creditor or Creditors, within this Province, shall, within Twenty Days after the End of this Session of Assembly, go to the Sheriff of Kent County aforesaid, and give good Security to pay the Imprisonment Fees, that shall or may become due, from the said Thomas Barkley, after the End of the said Twenty Days, and also find the said Thomas Barkley sufficient Meat, Drink, and Cloathing, during his future Imprisonment; and in Case the said Thomas Barkley shall deliver up or surrender, or cause to be delivered up or surrendered, to the Sheriff of Kent County aforesaid, in the Presence of Two Justices of the Peace of the said County, whom the said Sheriff is hereby required to summon, on the Request of the said Thomas Barkley, at some convenient Time after the Receipt of this Act, not exceeding Five Days, all his real and personal Estate, either in Possession, Reversion, Remainder, or in Trust, or in or unto which he hath any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriff of Kent County, for the use of his Creditors, all such his Estate, Interest or Claim as aforesaid, after such Manner as by the said Sheriff, and the major Part of such Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law, shall reasonably devise or require, at the Costs and Charges of the Persons as shall claim the Benefit thereof, so as the said Thomas Barkley be not burthened with any

[Thomas Barkley to be discharged from Prison, on delivering up his Effects, on Oath.]

p. 20

Liber H. S. Warrantee thereby, other than from himself or those claiming by,  
 No. I from or under him, and that the said Thomas Barkley, at the Time  
 of such his surrender and transferring his Estate as aforesaid, shall  
 take the following Oath, before the said Two Justices, to the Effect  
 following, viz. “ I Thomas Barkley do solemnly swear, That the  
 [The Oath.] Goods, Debts and Effects which I have delivered, assigned, and made  
 over to the Sheriff of Kent County, and in Trust for the Use of my  
 Creditors, is the whole Estate both real and personal of my own in  
 Possession, or have any Title to in the World, and that I have not  
 any Estate, Goods or Effects, of any kind whatsoever, left either in  
 Possession, Reversion or Remainder, (the necessary wearing Apparel  
 for myself excepted) and that I have not directly or indirectly, sold,  
 leased, or otherwise conveyed, disposed of, or intrusted, all, or any  
 Part of my Estate, thereby to defraud my Creditors, or to secure  
 the same to receive or expect any Profit or Advantage thereof. So  
 help me God.” It shall and may be lawful for the Sheriff of Kent  
 County, after the End of the said Five Days, and the said Sheriff is  
 hereby required to discharge the said Thomas Barkley out of his  
 Custody, and to suffer him to go at large.

p. 21 And be it further Enacted, That if the said Thomas Barkley, shall  
 hereafter be imprisoned by Reason of any Judgment or Decree  
 [To be dis- obtained for the Payment of any Debt, Damage or Cost, contracted,  
 charged from future Ar- occurred, or occasioned, owing or growing due before the End of  
 rests on Ap- this Session of Assembly, upon every such Arrest, or any such Judg-  
 pearance, ment or Decree, or for any such Debt, Damage or Cost, it shall and  
 &c.] may be lawful for the Judges or Justices of the Court where any such  
 Process shall issue, upon shewing a Duplicate of the Discharge of  
 the said Thomas Barkley, being so arrested, to release and discharge  
 out of Custody the said Thomas Barkley, provided the said Thomas  
 Barkley being so arrested, shall and do enter his Appearance, or  
 procure some Attorney to appear to every such Action and plead  
 thereto. Provided, That the Discharge of the said Thomas Barkley  
 shall not acquit any other Person from such Debt, Damage or Cost,  
 or any Part thereof, but that all such Persons shall be answerable for  
 the same in such Manner as they were before the passing of this Act.

Provided always, and be it Enacted, by the Authority aforesaid,  
 [Debts to stand good in Case, &c.] That notwithstanding the Discharge of the said Thomas Barkley,  
 all and every Debt or Debts, due and owing from him, and all and  
 every Judgment had, or Decree obtained against him, shall stand and  
 be good and effectual in Law, to all Intents and Purposes, against the  
 Lands, Tenements and Hereditaments, Goods and Chattels of the  
 said Thomas Barkley, and which he, or any other Person in Trust  
 for the Use of him, had at the Time of the Discharge of the said  
 Thomas Barkley, or which he or they at any Time hereafter shall  
 or may be any way seized or possessed of, or interested in, to his

or their own Use, or in his or their own proper Right, either in Law or Equity, (except the wearing Apparel, and Bedding, of him the said Thomas Barkley, not exceeding the Sum of Ten Pounds Current Money,) and it shall and may be lawful for any of his Creditors, their Executors, Administrators and Assigns, to take out new Execution or Executions against the Lands, Tenements, Hereditaments, Goods and Chattels, of the said Thomas Barkley, (except as before excepted,) for the Satisfaction of his, her, or their Debts, in such Sort, Manner and Form, as he, she or they, might have done if the said Thomas Barkley had not been taken in Execution, or discharged by Virtue of this Act.

And be it further Enacted, That if any Action of Escape be brought against any Sheriff, or any Suit or Action against any Justice or Justices, for the performing their Office in Pursuance of this Act, he may plead the General Issue, and give this Act, and the Matter, in Evidence, and if the Plaintiff be Nonsuit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs.

[Actions of  
Escape.]

p. 22

Provided also, That nothing in this Act shall extend, or be construed to extend, to bar any Creditor or Creditors of the said Thomas Barkley, from having and maintaining any Action of Escape against any Sheriff, who hath permitted any Escape before the making of this Act.

[Proviso.]

Provided nevertheless, That in Case the said Thomas Barkley shall, at any Time after making such his Oath as aforesaid, be convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Noncompliance with the Tenor of such Oath as aforesaid, that then the said Thomas Barkley, being convicted as aforesaid, shall, upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him by this Law, and shall, from thenceforth, be liable to be prosecuted for any Debt or Demands whatsoever, in the same Manner as if this Act had never been made; any Thing therein contained to the contrary notwithstanding.

[If perjur'd.  
not to re-  
ceive any  
Benefit from  
this Act.]

Provided always, That if the Sheriff of Kent County shall be first satisfied his Imprisonment Fees, out of the Effects of the said Thomas Barkley, before any Creditor or Creditors shall have any Share of the said Thomas Barkley's Effects, and if the said Thomas Barkley's Effects shall not be sufficient to satisfy the Sheriff his Imprisonment Fees, that then, the said Thomas Barkley shall satisfy and pay to the Sheriff the Residue of his Imprisonment Fees: Provided also, That the said Sheriff shall not prosecute, detain or imprison, the said Thomas Barkley within Three Years after his

[Sheriff's  
Fees to be  
first paid.]

Liber H. S. Releasement; any Thing in this Act contained to the contrary notwithstanding.  
No. I

9<sup>th</sup> Novem.<sup>r</sup> 1753.  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho

On behalf of the Right  
Honble the Lord Propy  
of this Province I will  
this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem.<sup>r</sup> 1753.  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

No. II A Supplementary Act to the Act entituled, An Act to enable the Justices of Charles County, to Levy a Sum of Tobacco on the taxable Inhabitants of Port-Tobacco Parish in the said County, for the Purposes therein mentioned.

[Preamble.] Whereas, by Virtue of the Act entituled, An Act to enable the Justices of Charles County, to Levy a Sum of Tobacco on the taxable Inhabitants of Port-Tobacco Parish in the said County, for the Purposes therein mentioned, the Vestrymen of the said Parish  
p. 23 have entered into and made an Agreement with William Waite, of the Colony of Virginia, for the Erecting and Building a Church in the Parish aforesaid, according to certain Articles between them executed; and many of the Materials for the said Building have been brought, and now are on or near the Place where the said Church is to be built in Pursuance of the said Agreement.

And whereas, soon after the making the said Agreement and Bond with sufficient Surety being taken, for the said Waite his complying therewith, the Majority of the Vestrymen of the said Parish, at a Meeting of the said Vestry, did, in Pursuance of their said Agreement, draw an Order on the Sheriff of the said County, in whose Hands the Tobacco for the first Year's Assessment then was, to pay the same to the said Waite, which Payment the said Sheriff refused to make, because the said Order was not signed by the Churchwardens for the said Parish, by Means of which Refusal, the said Waite hath not yet received any of the Tobacco which has been levied by Virtue of the said Act, but the same still remains in the Hands of the said Sheriff: In order therefore, that the said Agreement for the Building the said Church may be executed, and the Contract made by the said Vestrymen, on their Part, discharged, it is prayed that it may be Enacted.

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all the Tobacco now in the Hands of the said Sheriff by him received, by Virtue of the said Act, he shall be obliged, and is hereby enjoined and directed to pay unto the said William Waite, his Executors, Administrators, or Assigns, on his  
[Sheriff en-joined to pay Wm. Waite what Tobacco he has in his Hands, on Order of the Vestry.]

or their procuring an Order, drawn on the said Sheriff for the same, signed by the Majority of the Vestrymen of the said Parish; any Thing in the said Act contained to the contrary thereof in any wise notwithstanding.

Liber H. S.  
No. I

And be it farther Enacted by the Authority aforesaid, That in Case the said Sheriff shall, after the producing to him the said Order, refuse or delay to pay the Tobacco due thereon, the said Vestrymen or their Successors, shall and may have the same Remedy for the said Tobacco, or such Part thereof as shall not be paid, as other public Creditors legally may have against Sheriffs, who, after receiving Tobacco assessed for them, refuse or delay to pay the same.

[Remedy in  
Case of Re-  
fusal.]

And be it farther Enacted by the Authority aforesaid, That when and as often as any future Collection of Tobacco shall be made, by Virtue of the said Act, the same Tobacco so collected yearly, shall in each Year, be paid by the Sheriff of the said County to the Order of the Majority of the Vestrymen of the said Parish, in discharge of the Agreement made with the said William Waite, until the said Quantity of One Hundred and Forty Thousand Pounds of Tobacco in the said Act and Agreement mentioned, shall be fully paid and satisfied.

[To pay fu-  
ture Collec-  
tions.]

p.24

9.<sup>th</sup> Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho

On behalf of the Right  
Honble the Lord Propy  
of this Province I will  
this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Nov.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 12 An Act for the speedy Recovery of small Debts out of Court, before One Justice of the Peace.

Whereas the Recovery of small Debts before One Justice of the Peace out of Court, has been found a great Satisfaction and Ease to the good People of this Province, and that the Jurisdiction of one Justice of the Peace, by the Law heretofore made, is not sufficiently extended to suit their Conveniency and Benefit: It is therefore humbly prayed that it may be enacted;

[Preamble.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in all Cases wherein the real Debt or Damage doth not exceed Six Hundred Pounds of Tobacco, or Fifty Shillings Current Money, it shall and may be lawful for any One Justice of the Peace of each respective County, wherein the Debtor doth reside, to try, hear and determine, the Matter of Controversy between the Creditor and Debtor, and upon full Hearing of the Allegations and Evidences of both Parties, shall give Judgment according to the Equity and Right of the Matter, and if need be

[One Justice  
to hear and  
try all Causes  
of 600 lbs. of  
Tobacco, or  
50 Shillings  
Currency.]

Liber H. S. charge the Constable with the Body of the Debtor, in Execution,  
 No. 1 who is hereby obliged and impowered to carry the Person so committed to the Sheriff of the County, together with a Certificate, or Mittimus from such Justice, wherein shall be certified the Debt and Cost whereof such Person shall be convict, by him to be safely kept until Satisfaction or other End thereof, or otherwise, that such Justice shall award Execution on such his Judgment, (directed to the Sheriff of the County,) by Warrant or Mittimus, in the Nature of a Capias ad Satisfaciendum, Fieri facias or otherwise, and that in Case upon the Return of any Warrant, or any Complaint issued  
 p. 25 by any such Justice, it shall appear that the Person against whom the same shall Issue, is not to be found, it shall and may be lawful for the Creditor to proceed, in the several and respective County Courts, for obtaining an Attachment, according to the Directions of the Act for suing out Attachments in this Province, and limiting the Extent of them against the Goods, Chattels, and Credits of such Persons, for any Sum exceeding One Hundred Pounds of Tobacco, or Ten Shillings in Current Money; any Act or Acts to the contrary notwithstanding.

[One Act, made in 1715, repealed.] And be it likewise Enacted, That an Act of Assembly, made at a Session of Assembly, held at the City of Annapolis, on the Twenty Sixth Day of April, Anno Domini Seventeen Hundred and Fifteen, entitled, An Act for the speedy Recovery of small Debts out of Court, before a single Justice of the Peace, be, and is hereby abrogated, repealed and made void.

[County Courts not to try Causes under 600 lbs. of Tobacco or 50 Shillings:] And be it likewise Enacted, That the Justices of the several County Courts within this Province shall not hold Plea of any Debt, or Damage, which shall not exceed Six Hundred Pounds of Tobacco, or Fifty Shillings in Current Money; any Law, Usage, or Custom, to the Contrary notwithstanding.

[Unless the Actions were commenced before the making this Act.] Provided nevertheless, That nothing in the said Act shall hinder the Justices aforesaid from holding Plea, of any Debt or Damage, where the Suits are or shall be commenced before the End of this Session of Assembly, for any Sum above Four Hundred Pounds of Tobacco, or Thirty Three Shillings and Four Pence Current Money, and under Six Hundred Pounds of Tobacco, and Fifty Shillings Current Money; any Thing in the abovesaid Act to the contrary notwithstanding.

[Continuance.] This Act to continue for Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years.

9th November 1753.  
 Read and Assented to  
 by the Lower House of  
 Assembly

Signed p Order  
 M Macnemara Cl lo ho

On behalf of the Right  
 Honble the Lord Propoy  
 of this Province I will  
 this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
 Wax Appendant

9 Novem.<sup>r</sup> 1753.  
 Read and Assented to  
 by the Upper House of  
 Assembly

Signed p Order  
 J. Ross Cl Up Ho.



- No. 13 An Act to empower the several Courts within this Province, to order Commissions for the Examination of Witnesses residing beyond Sea, and for the more easy Foreclosure of Mortgages. Liber H. S.  
No. I

Whereas, it has been found very inconvenient to many Suitors, in the several and respective Courts within this Province, whose Witnesses have resided beyond Sea, that the said Courts have not any Power or Authority to order Commissions for the Examination of such Witnesses, whereby such Suitors have been deprived of the Benefit of their Testimony, or been put to an heavy Expence and great Delay, in order to obtain out of the high Court of Chancery, a Commission for the Examination of such Witnesses: For Remedy whereof, [Preamble.]  
p. 26

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in all and every Cause and Causes, that now do or shall hereafter depend, in any of the Courts within this Province, wherein either Plaintiff or Defendant shall make it appear to the Satisfaction of the Justices by his own Oath or otherwise, That any material Witness for him, without whose Testimony he cannot safely proceed to Tryal, doth or shall reside out of this Province, it shall and may be lawful for the said Justices, to order the Register of the High Court of Chancery, for the Time being, to issue a Commission or Commissions, as the Case shall or may require, to such Person or Persons as the said Justices shall appoint to take the Examination of such Witnesses. [Commission to be given for the Examination of Witnesses out of the Province.]

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That the Register of the Court of Chancery being thereunto ordered and directed by the Justices, as aforesaid, shall issue a Commission or Commissions to such Person or Persons, to be appointed as aforesaid, in such Manner and Form as Commissions have heretofore been issued out of the High Court of Chancery, for the Examination of Witnesses, in any Cause or Suit there depending, and that the Person or Persons to be appointed Commissioner or Commissioners as aforesaid, and his or their Clerk shall qualify themselves to execute such Commission or Commissions, in such Manner and Form as Commissioners and their Clerks have heretofore qualified themselves, to execute Commissions issued out of the High Court of Chancery, for the Examination of Witnesses, in any Cause or Suit there depending. [Commissioners and their Clerk to be qualified as heretofore.]

And be it further Enacted, That the Register aforesaid, after such Commission or Commissions shall be executed and returned by the Commissioners, shall preserve and keep such Commission or Commissions, and the Depositions to be taken thereon, among the Records and Proceedings of the High Court of Chancery: and that Copies of such Depositions as shall be taken in pursuance of such Commission or Commissions as shall be issued according to [When the Commissioners are executed, the Register to preserve them; and Copies to be good Evidence.]

Liber H. S. the Directions of this Act, and returned into the High Court of  
 No. I Chancery, and signed by the Register of the same Court, for the  
 p. 27 Time being, shall be admitted as Evidence, in any Court within  
 this Province, between the same Plaintiff and Defendant that shall  
 be Parties to such Cause or Causes, wherein such Commission or  
 Commissions shall issue, and all and every other Person or Persons  
 whatsoever, that shall claim by, through or from, such Plaintiff or  
 Defendant only.

[The opposite Party to have Notice and a Copy of the Interrogatories.]  
 Provided always, That no Depositions to be taken as aforesaid,  
 or Copies thereof, shall be admitted as Evidence, unless the Party,  
 Plaintiff or Defendant, at whose Instance and Request the Com-  
 mission or Commissions shall issue as aforesaid, in Virtue whereof  
 such Depositions shall be taken, do, before such Commission or  
 Commissions shall issue, draw up Interrogatories to such Points  
 as he shall think fit or proper to examine such Witness or Witnesses  
 as aforesaid, and serve upon or deliver unto the opposite Party, a  
 Copy of such Interrogatories, and also deliver the Name and Names  
 of such Witness or Witnesses in Writing, as he intends to examine,  
 in Virtue of such Commission or Commissions as aforesaid.

[To prevent the Foreclo-  
 Court of Chancery, to compel Payment of Monies or Tobacco due on  
 Mortgages, and for Non-Payment thereof to foreclose the Mort-  
 gagor of his Equity of Redemption, is a great Disadvantage to  
 Creditors, and tends to impair and diminish the Credit of the People  
 of this Province :

[Answers to be put in in Four Months.]  
 Be it Enacted, by the Authority, Advice and Consent aforesaid,  
 That where any Bill shall be hereafter filed in the Court of Chancery  
 of this Province, to compel the Payment of such Monies or Tobacco  
 as shall or may be due on any Mortgage, and for Non-Payment  
 thereof to foreclose the Mortgagor of his Equity of Redemption, in  
 Case the Mortgagor shall not put in a compleat Answer to such  
 Bill, in Four Months after he shall be served with a Subpœna, and  
 the Return thereof, that then, and in such Case, such Bill shall be  
 taken pro Consesso, and such Decree shall be made thereupon as is  
 usual in Cases wherein the Mortgagor answers to, and admits all,  
 the Matters charged in the Bill to be true.

[A longer Time may be granted, in Case, &c.]  
 Provided always, That in Case such Mortgagor shall shew good  
 and sufficient Cause, at the next Appearance Court after Service of  
 the Subpœna, or at any Time after the said Appearance Court, and  
 before the Expiration of Four Months after the Return of such  
 Subpœna, why he should be allowed a longer or further Time for  
 putting in his Answer, then, and in such Case, the Chancellor shall  
 and may give such Mortgagor such further or longer Time for  
 putting in his Answer, as the Nature of the Case may require ; any  
 Thing herein before contained to the contrary notwithstanding.

This Act to continue for Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years.

Liber II. S.  
No. I

[Continu-  
ance.]

9<sup>th</sup> Novem.<sup>r</sup> 1753.  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Hon<sup>ble</sup> the Lord Propoy  
of this Province I will  
this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem.<sup>r</sup> 1753.  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

[EDITOR'S NOTE.—Although passed by the Assembly and signed by the Governor, the above act received the dissent of the Lord Proprietary, December 10, 1754, and became null and void. See Appendix page 642.]

No. 14 An Act empowering the Incumbent and Vestrymen of Saint Michaels Parish in Talbot County and James Tilghman of the said County and Ann his Wife to make an Exchange of certain Lands therein mentioned.

Whereas the Parties aforesaid by their Humble Petition to this present General Assembly have set forth that the said Incumbent is seized as Incumbent of the said Parish of a Tract of Land called Holden Addition which was Devised among other Lands for a Glebe in the said Parish by Thomas Smithson Esquire deceased and that the said James Tilghman and Ann his Wife are seized of a Tract of Land called Fansley [Fausley] contiguous to the said Land called Holden Addition That the dividing line of the said Lands extends obliquely across the Creek called Fansley [Fausley] Creek in such a manner that Parcel of the same Land called Holden Addition less than fifteen Acres lyes on the North side of the said Creek next the Lands and Plantation of the said James Tilghman so as to be useless to the said Glebe and a Parcel of the said Land called Fansley [Fausley] less than fifteen Acres lying on the South side of the said Creek next the said Glebe Lands is altogether useless to the said James Tilghman, That of course an Exchange of the same parcels of the said Tracts of Land would be convenient to the Incumbent for the time being of the said Parish and to the said James Tilghman But there being no Power of Aliening the said Glebe Land in any Person and the said James Tilghman and Ann his Wife being Seized in Fee Tail special of the said Land called Fansley [Fausley] and therefore not having power to make an Effectual Conveyance of any part of the said Land It is humbly prayed by the said Parties that an Act of Assembly may be made empowering the Incumbent of the said Parish for the time being and the Vestrymen or the Major part of them and the said James Tilghman and Ann his Wife to make an effectual Exchange of such Parts of the same Tracts of Land and in such Manner as to the same parties may seem meet and convenient.

Liber H. S.  
No. 1

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same. That it shall and may be lawful for the said James Tilghman and Ann his wife at any time after the End of this present Session of Assembly by Deed of Bargain and Sale duly and legally acknowledged and Inrolled to assure and convey to the Incumbent for the Time being of the said Parish and his Successors Incumbents of the said Parish All that Part of the said Tract of Land called Fansley [Fausley] which lies on the South Side of the said Creek, And that it shall and may be lawful for the Incumbent of the said Parish for the Time being and the Vestrymen or the Major part of them at any Time after the End of this present Session of Assembly by Deed of Bargain and Sale Acknowledged and Inrolled as aforesaid to convey and assure to the said James Tilghman and Ann his wife in Fee Tail Special so much and such part of the said Tract of Land called Holden Addition lying as aforesaid on the North side of the said Creek and at the head thereof as shall be Agreed upon by the said Incumbent and Vestrymen and the said James Tilghman to be an Equivalent for the said part of the said Land called Fansley [Fausley] any Intail on the said Land called Fansley [Fausley] or any Restriction or Limitation in the will of the said Thomas Smithson Esquire to the contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid That after the said Conveyances executed acknowledged and inrolled as aforesaid the said Parcel of Land called Fansley [Fausley] so to be Conveyed shall forever be annexed to and be deemed and taken to be Part and Parcel of the said Glebe to every Intent and Purpose whatsoever and the said Incumbent and his Successors by virtue of the said Conveyance so as aforesaid to be made by the said James Tilghman and Ann his wife and of this Act shall from Time to Time be seized thereof in the same Manner as of the other Lands of the said Glebe, and that the said James Tilghman and Ann his Wife after the said Conveyances executed acknowledged and inrolled as aforesaid shall by virtue of the said Conveyance so as aforesaid to be made to them

p. 30 by the said Incumbent and Vestrymen or the Major Part of them and of this Act be Seized of and in the said part of the said Tract of Land called Holden Addition by the said Incumbent for the Time being of the said Parish and the vestrymen or the Major part of them to the said James Tilghman and Ann his Wife to be Conveyed in such Sort and Manner to every Intent and Purpose and in such Estate therein as they the said James and Ann are now Seized of and in the said Tract of Land called Fansley [Fausley] and the Reversion of the same Parcel of Land called Holden Addition as aforesaid to be Conveyed to the said James Tilghman and Ann his wife

immediately after the said Conveyances executed acknowledged and inrolled as aforesaid shall by virtue of this Act Vest in the Reversioner or Reversioners of the said Land called Fansley [Fausley] in the same manner as the Reversion of the same Land is now vested in him her or them.

Liber H. S.  
No. 1

9<sup>th</sup> Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honble the Lord Pro-  
prietary of this Province  
I will this be a Law  
Hor.<sup>o</sup> Sharpe

9 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

the great seal in  
Wax Appendant

# No. 15 An Act for repairing the Public Roads in this Province.

Whereas, it is represented to this General Assembly, That the erecting and making Mill-Dams on Branches, where formerly the main or public Roads passed, and the Narrowness of such Dams, and the Flood-Gates to the same, have been a great Obstruction and Hindrance to Carriage, and travelling on the public Roads: For Remedy whereof, it is prayed that it may be Enacted, [Preamble.]

II. And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That where any Person or Persons have built or shall build, a Mill or Mills on any Branch or Run, where any public or main Road crossed, or shall cross, and have erected or shall erect, any Dam for such Mill or Mills, such Person or Persons, or the Owner, Possessor, or Occupier, of such Mill or Mills shall, and they are hereby obliged to make the Top of the said Dam Twelve Feet wide at the least, and make good and sufficient Bridges over the Waste and Race of the said Mills and Dams, and the same keep in good Repair: And where any Mill hereafter to be erected shall obstruct any public Road, and it shall be thought convenient by the Justices of the said County Court, where such Mill is so erected, that the said public Road shall pass below the Dam of the said Mill, or where such public Road now passes below the Dam of any such Mill or Mills, that then, and in every such Case, the Owner or Owners, Possessor or Occupier, of such Mill or Mills, shall, and they are hereby required to raise and make a good and sufficient Causway across the Branch on which the said Mill is built, Twelve Feet wide, and make a good and substantial Bridge over the Tail of the said Mill, and the same keep in good Repair; and if the Owner or Owners, Possessor or Occupier, of any such Mill or Mills, shall refuse or neglect to do what is by this Act required, and shall be thereof legally convict, he, she, or they, shall forfeit and pay the Sum of Twenty Pounds Current Money; the one Half thereof to be applied towards defraying the Charge of the County, where such [Roads to be made good, and 12 Feet wide, where Mill Dams are built, and Bridges, and to be kept in good Repair.]

p. 31

[Penalty on Neglect.]

Liber H. S. neglect or Refusal shall happen, the other Half to him, her, or them,  
 No. I that shall inform or sue for the same; to be recovered by Action  
 of Debt, Bill, Plaint, or Information, in any Court of Record within  
 this Province, wherein no Essoin, Protection, or Wager of Law,  
 or more than one Imparllance shall be allowed. Provided, That such  
 Person or Persons, Owner or Owners, Possessor or Occupier, of  
 such Mill or Mills, shall not be obliged to send his or their taxable  
 Persons, who shall reside in the Precinct of such public Road, to  
 work on any Part of such Road, except such Mill-Dam, Causway,  
 Race, and Waste, as aforesaid.

[Some Con- And be it further Enacted, That all Contracts heretofore made  
 tracts in by the Justices of Worcester County Court, with the Proprietor or  
 Worcester Proprietors of any such Mill or Mills, for the keeping in good  
 County made Repair such Dam or Bridge, and free Passage of Travellers and  
 void.] Carriages as aforesaid, are by this Act made null and void to all  
 Intents and Purposes whatsoever; any Thing to the contrary in  
 any wise notwithstanding.

[Time al- Provided always, and be it Enacted, That no Owner or Owners  
 lowed for of such Mills as aforesaid, over the Dams of which public Roads  
 making good now pass, shall be subject to any of the Penalties in this Act, for not  
 the Mill- making such Mill-Dams of the Breadth in the said Act directed,  
 Dams.] until after the First Day of November, which shall be in the Year  
 of our Lord Seventeen Hundred and Fifty Four.

[Continu- This Act to continue for Five Years, and unto the End of the next  
 ance.] Session of Assembly, which shall happen after the Expiration of the  
 said Five Years.

9.<sup>th</sup> November 1753.  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honble the Lord Propy  
 of this Province I will  
 this be a Law  
 Hor.<sup>o</sup> Sharpe

the great seal in  
 Wax Appendant

9 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

No. 16 An Act for regulating Judicial Proceedings.

P. 32 Whereas in Actions of Trover and Conversion, and Actions of  
 [Preamble.] Detinue, special Bail, by the Order and Course of Law, is not  
 granted, and for that many Persons commencing such Suits, for  
 Want of special Bail therein, have often lost the Effects of their  
 Judgments, the Defendants in such Suits frequently running away:  
 To avoid the Consequence thereof,

[In Actions II. Be it therefore Enacted, by the Right Honourable the Lord  
 of Trover, Proprietary, by and with the Advice and Consent of his Lordship's  
 &c. the Jus- Governor, and the Upper and Lower Houses of Assembly, and the  
 tices may Authority of the same, That in all Actions of Trover and Con-  
 order special Bail.] version, and Actions of Detinue, to be commenced after the First Day

of December next, in any of the Courts in this Province, it shall and may be lawful for the Justices of the Court in which such Action shall be commenced, or such of them as shall be present, upon the Affidavit of the Plaintiff, or other Evidence of his Cause of Action, given to the Satisfaction of such Court, to award special Bail against any Defendant or Defendants in such Action, and for Default of such Bail, to commit such Defendant or Defendants to the Custody of the Sheriff or Coroner, as the Case may require, until he, she or they, shall put in such Bail as is usual in other Cases; any Law, Usage, or Custom, to the contrary notwithstanding.

9<sup>th</sup> November 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honble the Lord Propy  
of this Province I will  
this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 17 An Act empowering the Justices of Prince George's County, to Levy on the taxable Inhabitants of Saint Paul's Parish in the said County, a Sum of Current Money, for the Uses therein mentioned.

Whereas, the Rector, Vestrymen, and Churchwardens, and other Inhabitants of Saint Paul's Parish, in Prince George's County, have by their humble Petition to this present General Assembly, set forth, That the Railing of the Grave Yard at the Church being very much out of Repair, and no Yard either railed or paled in at the Chapel of Ease, and some other Repairs being necessary to be made, they humbly pray that a Law may pass, empowering the Justices of Prince George's County aforesaid, to Levy on the taxable Inhabitants of Saint Paul's Parish aforesaid, the Sum of One Hundred Pounds Currency, at two equal annual Assessments, to be applied to the Uses aforesaid; which being thought reasonable, it is prayed that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Prince George's County, for the Time being, shall and may, and they are hereby authorized and directed, on the Application of the Vestry and Churchwardens of Saint Paul's Parish, in Prince George's County, or the Majority of them, to assess and levy on the taxable Inhabitants of the said Parish, the aforesaid Sum of One Hundred Pounds Current Money, together with the Sheriff's Salary of Five Pounds per Centum for Collection, at two equal annual Assessments, which said Sum of One Hundred Pounds shall be collected by the Sheriff of the said

[100 l. to be  
levied, at two  
Assessments  
in Pr.  
George's  
County for  
Railing two  
Grave Yards  
in St. Paul's  
Parish.]

p. 33

Liber H. S.  
No. 1

Liber H. S. County, who is hereby authorized and directed to collect the same;  
 No. I and the said Money when so collected, shall be paid to the said Vestry  
 and Churchwardens, or the Majority of them, who are hereby  
 authorized and required to apply the same towards Railing in, or  
 Paling the Grave Yards, at the Church and Chapel aforesaid, and  
 repairing the same, in such Manner, as to the Vestrymen and Church-  
 wardens of the said Parish, for the Time being, shall seem most  
 just and reasonable.

9th November 1753.  
 Read and Assented to  
 by the Lower House of  
 Assembly

Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honble the Lord Propy  
 of this Province I will  
 this be a Law

Hor.<sup>o</sup> Sharpe

9 Novem.<sup>r</sup> 1753.  
 Read and Assented to  
 by the Upper House of  
 Assembly

Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 18 An Act to enable the Parishioners of Part of Saint Andrew's Parish,  
 in Saint Mary's County, to choose Vestrymen and Churchwardens,  
 and to enable the Visitors of the County School, in said County,  
 to choose Visitors.

[Preamble.] Whereas, neither the Act entituled, An Act for Establishment of  
 Religious Worship, or any other Law within this Province, doth  
 enable Part of a Parish, to choose Vestrymen and Churchwardens,

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's  
 p. 34 Governor, and the Upper and Lower Houses of Assembly, and the  
 Authority of the same, That it shall and may be lawful for the

[Part of a  
 Parish in St.  
 Mary's to  
 meet and  
 choose Ves-  
 trymen and  
 Church-  
 wardens.] qualified Inhabitants of that Part of Saint Andrew's Parish, in Saint  
 Mary's County, separated from the Parish which the Reverend  
 Mr. Tabbs now holds, by the Death of the Reverend Lawrence De  
 Butts, late Incumbent thereof, to meet on the last Tuesday in Novem-  
 ber, in the Year One Thousand Seven Hundred and Fifty Three,  
 at the Court-House of the said County, and then and there to choose  
 Six Vestrymen, and two Churchwardens, being Freeholders within  
 the said Part of Saint Andrew's Parish aforesaid, which Vestrymen  
 and Churchwardens so chosen, and their Successors, are hereby  
 declared to be the Vestrymen and Churchwardens of and for the  
 said Parish, and they are hereby authorized and impowered to act  
 and do whatever appertains to the Duty of Vestrymen and Church-  
 wardens, by the Laws of this Province; such Vestrymen and Church-  
 wardens qualifying themselves to act as such, agreeable to Law.

And be it likewise Enacted, That the present Visitors of the  
 [Visitors to  
 meet and fill  
 up their  
 Number.] County School, in Saint Mary's County, are hereby impowered and  
 directed, to choose and elect a sufficient Number of Visitors, to fill  
 up the Number of seven Visitors for the said School, after which  
 the present Visitors, and those so chosen, shall and may proceed to



execute all, and every the Powers and Authorities given and enjoined, by an Act of Assembly of this Province, entitled, An Act for the Encouragement of Learning, and erecting Schools in the several Counties, within this Province, as fully and amply to all Intents. Constructions, and Purposes, as any other the Visitors for the County Schools within this Province, may lawfully do.

9<sup>th</sup> November 1753.  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honble the Lord Propy  
of this Province I will  
this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem.<sup>r</sup> 1753.  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

- No. 19 An Act to empower the Commissioners of Baltimore Town to make an Addition thereto of Thirty Two Acres of Land, or thereabouts, to be laid out into Lots.

Whereas the Inhabitants of Baltimore County, by their humble Petition to this General Assembly, have set forth, that there is about Thirty Two Acres of Land, lying on the West Part of Baltimore Town, very commodiously situated and convenient to be laid out into Lots, and made Part of said Town: Therefore humbly pray that it may be enacted,

p. 35

[Preamble.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Commissioners of the said Baltimore Town, or the major Part of them, do, by Virtue of this Act, at any Time they shall see convenient, before the First Day of April next, cause the said Thirty Two Acres of Land, or thereabouts, to be surveyed and laid out into Lots, in such Manner as to them shall seem convenient; and that when the same shall be so done, the said Thirty Two Acres of Land, or thereabouts, shall be, and is hereby declared to be, Part of Baltimore Town aforesaid, to all Intents and Purposes whatsoever, as fully and amply as if included originally therein, and have the same Immunities and Privileges as the Rest of said Town have, or by former Laws ought to have; and any Person or Persons that shall build or improve on the said Thirty Two Acres of Land, or thereabouts, after the same shall be laid out into Lots, as by former Laws, relating to the said Town, is directed, and purchase the same from the Proprietor or Proprietors, shall have an absolute Estate of Inheritance in any Lot or Lots so to be built on and purchased; but the Purchaser or Purchasers of any Part of the said Thirty Two Acres, or thereabouts, are hereby left to agree with the Proprietor or Proprietors thereof, and not other-

[Thirty-two  
Acres of  
Land added  
to Baltimore  
Town, to be  
laid out into  
Lots.]

Liber H. S. wise, to have Title to any the said new Lot or Lots, to be laid out in  
No. I Virtue of this Act.

Saving to his most sacred Majesty, his Heirs and Successors, the Right Honourable the Lord Proprietary, his Heirs and Successors, and all Bodies politic and corporate, and all others not mentioned in this Act, their several and respective Rights.

9<sup>th</sup> November 1753.  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem.<sup>r</sup> 1753.  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

No. 20 An Act for raising a Duty of Three Halfpence Sterling per Hogs-  
p. 36 head on all Tobacco exported out of this Province, for the use  
of the Governor.

[Preamble.] Whereas his Lordship the Right Honourable the Lord Proprietary, has been pleased to constitute and appoint his Excellency Horatio Sharpe, Esquire, Lieutenant-Governor in and over this Province of Maryland, to whom we yield all due Deference; and the better to demonstrate the good Respect we have for and towards the said Horatio Sharpe, Esquire, our present Governor, and the great Hopes and Expectations we have of his Excellency's good and mild Government over us, we most humbly pray that it may be Enacted,

[Three Halfpence Sterling per Hogshead to be paid on all Tobacco shipp'd for the Use of the Governor.] And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Imposition of Three Halfpence Sterling per Hogshead, over and above the Duty already imposed on the Export of Tobacco, upon all Tobacco that shall be exported out of this Province after the First Day of December, One Thousand Seven Hundred and Fifty Three, by Land or by Water, and Three Halfpence Sterling upon every Three Hundred Pounds of Tobacco, be it in Chest or Case, to be paid by the Master of every Ship or Vessel, or other Person, trading into or living in this Province, in Sterling Money, or Bills of Exchange, at the Election or Choice of the said Master or Others, to be collected by the Naval-Officer of the Port or District where such Ship or Vessel shall enter, and be paid by the Naval-Officers aforesaid to his Excellency Horatio Sharpe, Esquire, his Lordship's Governor in and over this Province, for his proper Use.

[In Case of Loss of any Tobaccos.] And be it further Enacted, by the Authority, Advice and Consent aforesaid, That if any Tobacco shall by any Casualty be lost, after

the aforesaid Imposition paid, that then, and in such Cases, the Owner or Owners of any such Ship or Vessel, or other Person, paying the same, shall have free Liberty to freight and ship off the like Quantity, without paying the said Three Halfpence. Liber H. S. No. I

This Act to continue until the First Day of December, which shall be in the Year of our Lord One Thousand Seven Hundred and Fifty Four.

[Continuance of this Act.]

Provided always, That if the said Horatio Sharpe, Esquire, shall die, or be removed from being Governor of this Province, before the Fifth Day of December, Seventeen Hundred and Fifty Four, then this Act shall cease from the Time of his said Death or Removal; any Thing herein before contained to the contrary notwithstanding.

[This Act to cease in case of the Governor's Death or Removal.]

p. 37

9<sup>th</sup> November 1753.  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Propy of this Province  
I will this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

9 Novem<sup>r</sup> 1753.  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

No. 21 An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

Whereas it is thought convenient by this General Assembly, to have a Law for preventing the Exportation of bad, unsound, and trashy Tobacco, and to prevent the many Frauds in deceiving his Majesty of his Customs, and for Limitation of Officers Fees.

[Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Tobacco which shall be exported out of this Province, from and after the last Day of November, Seventeen hundred and fifty-three, shall be first brought to some or one of the public Warehouses herein after mentioned, and shall be there viewed and inspected in Manner as is herein after expressed, except such Tobacco as hath been, or shall be, inspected before the said last Day of November, under any Act of Assembly of this Province.

[No Tobacco to be Exported, 'til first brought to a public Warehouse.]

And be it further Enacted, by the Authority aforesaid, That no Person shall put on board, or receive into any Ship, Sloop, Boat, or other Vessel, in order to be exported therein, any such Tobacco not packed in Hogsheads, Casks or Cases, upon any Pretence whatsoever; nor in any Hogshead, Cask or Case, to be in that, or any other Ship, Sloop, or Vessel, exported out of this Province, before the same shall have been viewed and inspected, according to the

[All Tobacco for Exportation to be taken on board at some public Warehouse, after the same is Inspected.]

Liber H. S. Directions of this Act (except as before excepted:) But that all  
 No. I such Tobacco, to be received or taken on board any Ship, Sloop, or  
 other Vessel, and to be therein exported; or to be carried or put on  
 board any other Ship, Sloop, or Vessel, for Exportation, as afore-  
 said; shall be received or taken on board at the several Warehouses  
 for that Purpose herein after mentioned, or some or one of them,  
 and at no other Place or Places whatsoever. And every Master,  
 p. 38 Mate, or Boatswain, which shall arrive in this Province, in order to  
 lade Tobacco, during the Continuance of this Act, shall, before the  
 said Ship or Vessel be permitted to take on board any such Tobacco,  
 [An Oath to make Oath, or Affirmation, if a Quaker, before the Naval Officer  
 be adminis- of the District wherein such Ship or Vessel shall arrive, (which  
 tered to Oath the said Naval-Officer is hereby impowered and required to  
 Masters, administer) ; “ That they will not permit any such Tobacco to be  
 Mates, and taken on board their respective Ships or Vessels, except the same be  
 Boatswains packed in Hogsheads, Casks or Cases, stamped by some Inspector,  
 of Vessels, before tak- legally thereunto appointed: ” Which Oath they shall subscribe in a  
 ing Tobacco Book, to be kept by the Naval Officer for that Purpose. And if any  
 on board.] such Master shall cause any Person who is not really, and bona fide,  
 Mate or Boatswain of the Ship, or Vessel, to come on Shore and  
 take such Oath, he shall, for the said Offence, forfeit and pay Thirty  
 [Penalty in Pounds Current Money: And if any Master or Commander of any  
 Case of Ship or Vessel. shall take on board, or suffer to be taken on board the  
 Default.] Ship or Vessel whereof he is Master, any Tobacco brought from  
 any other Place, than some or one of the public Warehouses herein  
 after mentioned, or any Hogshead, Cask or Case of Tobacco, not  
 stamped by some lawful Inspector, or shall suffer to be brought on  
 board, any Tobacco, except in Hogsheads, Casks or Cases, stamped  
 as aforesaid, every such Master and Commander shall forfeit and  
 pay Thirty Pounds Current Money for every Hogshead, Cask or  
 Case of Tobacco, which shall not have been brought from one of the  
 public Warehouses, or which shall not be stamped as aforesaid; and  
 moreover, every such Hogshead, Cask or Case of Tobacco, shall  
 be forfeited.

And forasmuch as the permitting Tobacco in Bulk or Parcels to  
 be water-born, on Pretence of being carried to the Warehouses estab-  
 [No Tobacco to be taken on board any sloop, Boat, &c. in Bulk or Parcels.] lished by this Act, may give great Opportunity to the clandestine  
 running the same on board the Ships lying at or near the said Ware-  
 houses, whereby the Evil of exporting trash Tobacco may be still  
 continued:

Be it further Enacted, by the Authority aforesaid, That if any  
 Person, taking upon himself to carry any Tobacco to or from any  
 of the said Warehouses, in his Sloop, Boat, or other Vessel, for  
 Hire, shall presume to take on board, or permit or suffer to be taken  
 on board, any Tobacco whatsoever, in Bulk or Parcels, such Tobacco  
 shall not only be forfeited, and may be seized by any Person or

Persons whatsoever; but such Master or Skipper offending herein shall forfeit and pay Thirty Shillings for every Hundred Pounds Weight of such Tobacco, and so proportionably for a greater or lesser Quantity: And the Master or Commander of any Ship or Vessel wherein any Tobacco in Bulk or Parcel shall be found, shall, over and above the Forfeiture thereof, be liable to the same Penalty: To be recovered, if it doth not exceed Seven Pounds Ten Shillings Current Money, before any Three Justices of the Peace of any County, near the Place where such Ship, Sloop, Boat, or other Vessel shall lie; and if it exceeds Seven Pounds Ten Shillings, in any Court of Record, by Action of Debt, wherein the Plaintiff shall recover Costs. And every Servant, Slave, or other Person, employed in navigating any such Sloop, Boat, or other Vessel, who shall connive at, or conceal, the taking or receiving on board any Tobacco in Bulk or Parcel as aforesaid, shall, by Order of any one Justice, receive on his bare Back, Thirty-nine Lashes well laid on: And if such Sloop, Boat, or other Vessel, be under the Care and Management of a Servant who cannot satisfy and pay the said Penalty, then such Servant, and every other Person employed under him, who shall be guilty of conniving at, or concealing, the taking on board Tobacco in Bulk or Parcel as aforesaid, shall, upon Complaint thereof made, to any Justice of the Peace, have and receive, by Order of the said Justice, Thirty-nine Lashes, well laid on. And if such Servant shall be again trusted with the Care and Management of any Sloop, Boat, or other Vessel, and shall be convicted a second Time of taking or receiving on board the same, any Tobacco in Bulk or Parcel, contrary to the Directions of this Act, the Owner of such Servant shall forfeit and pay the like Sum of Thirty Shillings for every Hundred Pounds Weight of such Tobacco, and so in Proportion for a greater or less Quantity, so taken or received on board in Bulk or Parcel; and shall also forfeit and pay Seven Shillings and Six Pence for every Day such Servant shall thereafter be employed as Skipper or Master of any Sloop, Boat, or other Vessel, to him belonging: To be recovered and applied as aforesaid.

Liber H. S.  
No. 1

p. 39

[Penalty and  
Punishment  
of Persons  
conniving on  
board such  
Tobacco.]

Provided always, That nothing herein before contained, shall be construed to prohibit any Person from carrying, or causing to be carried, to the said Warehouses, in any Boat or other Vessel, any Tobacco in Bulk or Parcels, for the Payment of his or her Levies, Debts, or other Duties; nor to prohibit any Person to put or take on board any Sloop, Boat, or other Vessel, any Hogsheads, Casks or Cases of Tobacco, to be water-born to any Warehouse or Warehouses appointed by this Act, so as the same be not carried out of the Naval-Officer's District wherein the said Tobacco shall be made; nor to prohibit the Owner of any Tobacco to transport his Crops, or any Part thereof, in Hogsheads, Casks or Cases, from one Place to another, for the better handling and managing thereof; nor any

[Proviso, in  
regard to  
Tobacco for  
the Payment  
of Levies,  
Debts, &c.]

p. 40.

Liber H. S. Purchaser of Tobacco from bringing the same by Water to be re-  
No. I packed, sorted, stemmed, or prized, before the same be carried to  
the said Warehouses, so as such last-mentioned Tobacco be packed  
in Hogsheads, Casks or Cases.

[No Tobacco to be re-landed but at Inspection Houses; Nor to be taken out of Cask by any Skipper, &c. before inspected: Nor taken out fraudulently after Inspection.]  
And be it further Enacted, That if the Skipper of any Sloop, Boat, or other Vessel, or other Person or Persons to whom the Care and Management thereof shall be intrusted, shall land or put on Shore any Hogshead, Cask or Case of Tobacco, put on board the same to be carried to any public Warehouse, at any other Place or Places than the Warehouse or Warehouses by this Act appointed for the Reception and Inspection of Tobacco, or at some or one of them, or the Wharffs or other Landing to such Warehouse or Warehouses belonging; or shall put the same on board any other Vessel, or suffer the same to be done, so as the same be not delivered at some of the said public Warehouses, without Fraud or Imbezzlement, or shall open any Hogshead, Cask or Case of Tobacco, so as aforesaid water-born and landed, and take thereout any Tobacco before the same be viewed by some Inspector or Inspectors, according to the Directions of this Act; or, after the same has been viewed, shall fraudulently open any Hogshead, Cask or Case, and take thereout any Tobacco, every such Offence shall be adjudged Felony; and the Offender or Offenders shall suffer by whipping and pillorying, and paying fourfold, as in Case of Felony.

[Proviso, in Case of Distress of Weather.]  
Provided always, That nothing herein before contained shall be construed to prohibit the Landing or putting on Shore, any Hogshead, Cask, or Case of Tobacco, out of any Sloop, Boat, or other Vessel, so as such Landing be really and bona fide for the Preservation of the Tobacco laden in such Vessel, and that the same be with all convenient Speed, carried thereafter to the Warehouse or Ship (as the Case shall be) to which it was designed, without Imbezzlement.

[Tobacco damaged in it's Carriage to the Ship, may be re-landed, separated, and repacked.]  
p. 41  
Provided also, That if by any Accident, or Negligence of the Master or Skipper of any Vessel, any Tobacco which hath been viewed and stamped, shall, in it's Carriage to the Ship, in which it is intended to be exported, receive so much Damage as the Master of such Ship will not receive it on board, every Hogshead, Cask, or Case of Tobacco, so damnified, shall, with all convenient Speed, be carried to some Warehouse, appointed by this Act, and there lodged, until the Owner of such Tobacco, or Master of the Vessel in which it was damaged, shall have separated the same, and then the remaining good Tobacco shall be stamped by the Inspector or Inspectors, attending such Warehouse, without Fee or Reward.

[Inspectors to give Bond with Sureties, for the due Execution of their Office.]  
Provided always, That every Person appointed, or to be appointed, an Inspector, by Virtue of this Act, shall yearly, before he enters upon the Execution of the said Office, enter into Bond, with good Surety, before two Magistrates of the County wherein the Inspecting House, at which such Inspector shall serve, is situate, in the Penalty

of three Hundred Pounds Current Money, payable to the Lord Proprietary, his Heirs, and Successors, with Condition for the true and faithful Performance of his Duty, according to the Directions of this Act, and shall also take the following Oath, or Affirmation if a Quaker, that is to say;

Liber H. S.  
No. I

You shall Swear (or affirm), That you will, diligently and carefully, view and examine, all Tobacco brought to any public Warehouse, or Warehouses, where you are appointed to be Inspector, and all other Tobacco which you shall be called upon to view and inspect: and that you will not receive any Tobacco that is not, in your Judgment, sound, well-conditioned, merchantable, and clear of Trash: nor receive, pass, or stamp, any Tobacco, or Hogshead, Cask, or Case of Tobacco, prohibited by an Act of Assembly, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; and that you will receive, pass, and stamp, all Tobacco that is sound, well-conditioned, merchantable, and clear of Trash, and in all Things well and faithfully discharge your Duty in the Office of an Inspector, according to the best of your Skill and Judgment, and according to the Directions of the said Act, without Fear, Favour, Affection, Malice, or Partiality. So help you God.

[The Oath.]

Which Oath, or Affirmation, shall and may be taken before any one Justice of the Peace, for the County where such Inspector shall officiate, and by such Justice certified to the Vestrymen and Churchwardens of the Parish, and an Entry thereof made in the Book which the said Vestry are obliged to keep, by this Act. And if any Person shall presume to execute the Office of an Inspector, before he has given such Bond, and taken such Oath, or Affirmation, as aforesaid, as also the Oaths, or Affirmations, prescribed by Law to be taken to the Government, and subscribe the Oath of Abjuration and Test, he shall forfeit and pay Five Hundred Pounds Current Money.

And be it further Enacted, That all Inspectors to be appointed by Virtue of this Act, shall attend their Duty at the Warehouse, or Warehouses, under their Charge, from the First Day of November to the First Day of April, as often as required; and constantly from the said First Day of April to the Twentieth Day of August, yearly, (except Sundays and the Holidays observed at Christmas, Easter, and Whitsuntide, or when hindered by Sickness, or in such Cases wherein this Act shall otherwise provide): And afterwards, they or one of them, shall constantly attend at the same (except on Sundays) to deliver out Tobacco for Exportation, 'til all the Tobacco remaining there, the said Twentieth Day of August, shall be so delivered: And every Inspector neglecting to attend, as aforesaid, shall forfeit and pay to the Party grieved, Seven Shillings and Six Pence Current Money, for every Neglect, or shall be liable to the Action upon the Case of the said Party grieved, to recover all

[Times of  
the Inspectors  
Attendance.]  
p. 42

[Penalty for  
Neglect.]

- Liber H. S. Damages which he or she shall have sustained, by Occasion of any  
 No. I such Neglect, together with his or her full Costs, at the Election of  
 [The Duty such Party. And all Inspectors shall uncase and break every Hogs-  
 of Inspec- head, Cask, and Case of Tobacco, brought to them to be Inspected,  
 tors.] as aforesaid; and if the Inspectors or Inspector (where one only is  
 appointed by this Act), shall be of Opinion, that the same is sound,  
 well-conditioned, merchantable, and clear of Trash, then such  
 Tobacco shall be weighed in Scales with Weights of the lawful  
 Standard, and the Hogshead, Cask, or Case, shall also be weighed  
 by the said Inspector or Inspectors, and stamped and marked with a  
 hot Iron, on the Head and Bulge, in the Presence of the said In-  
 spector or Inspectors, as the Case shall be, with the Name of the  
 Warehouse at which the Tobacco therein contained, shall be viewed  
 and inspected, as aforesaid, and also with the Tare of the Hogs-  
 head, Cask, or Case, and Quantity of Nett Tobacco therein con-  
 tained. But if at any House, for which by this Act two Inspectors  
 are appointed, the said Inspectors shall at any Time disagree con-  
 cerning the Quality of any Tobacco, brought for their Inspection to  
 any Warehouse under their Charge, they shall, without Delay, or  
 as soon as conveniently may be, call from the next adjacent Ware-  
 house or Inspection, another Inspector, who shall determine the  
 Difference, and pass, or reject, such Tobacco. And when any In-  
 spector shall bring his own Tobacco to the Warehouse whereof he  
 is Inspector, the same shall not be passed or stamped, unless it be  
 first viewed, examined, and found good, and qualified as aforesaid,  
 by the other Inspector there attending, or by one or both the In-  
 spectors, as the Case shall require, from the next adjacent Ware-  
 house; and in Case that any Inspector shall bring his own Tobacco,  
 p. 43 to the Warehouse whereof he is the only Inspector, the same shall  
 be first viewed, and examined as aforesaid, by the Inspectors, or In-  
 spector, of the next adjacent Warehouse.

And be it further Enacted, It shall and may be lawful in Case of  
 the Sickness, or other Disability of one Inspector, that the other  
 may by himself, and he is hereby authorized and impowered to do  
 and execute all the Powers and Authorities, which, by this Act, the  
 two Inspectors together might do, as fully to all Intents and Pur-  
 poses, as if they were both present. Provided, That if any Inspector  
 should not be really sick, but under Pretence thereof absent himself  
 from the Warehouse he ought to attend, and from the doing his  
 Duty there, he shall forfeit and pay for every Day he absents himself,  
 the Sum of Forty Shillings Current Money, to be recovered before  
 one Magistrate, as in Case of small Debts; one half thereof to the  
 Use of the Informer, and the other to the several and respective  
 Counties, to defray the Expence that hath, or may accrue, in the  
 due Execution of this Act. And also provided, That the Inspector  
 so acting alone, shall be answerable for all and every the Hogsheads



or Parcels of Tobacco, so by him inspected and passed, and that his Bond shall and may, if Occasion be, be sued for any Breach of the Condition thereof by such Inspector committed, during the absence of such sick or disabled Inspector.

*Liber H. S.  
No. I*

[Inspector  
acting  
alone.]

And be it further Enacted, That if it shall hereafter happen that both the Inspectors at any House, shall at the same Time be sick or disabled, and thereby prevented from attending their Duty, that then and in such Case only, it shall and may be lawful for each of the said Inspectors, and they and each of them, are hereby required to nominate and appoint one other Person, being a sufficient Planter, and well skilled in Tobacco, which two Persons so as aforesaid to be appointed, are to view, inspect, pass, and stamp, or refuse, the Tobacco brought to the said House, during the Sickness or Disability of such sick or disabled Inspectors; each of the said two Persons so appointed, first taking the Oath of Office, and other Oaths, (or Affirmation, if a Quaker), directed by this Act to be taken by Inspectors; and the said sick or disabled Inspectors, and their Sureties, shall still be answerable for the said Tobacco, so by the Persons by them severally appointed, inspected and passed, in the same Manner, as if they and each of them had personally officiated.

[In Case  
both Inspec-  
tors should  
be sick, they  
must  
appoint;]

[But them-  
selves be  
answerable.]

And be it further Enacted, That if it shall hereafter happen, that the Inspector at any House, where but one is by this Act appointed, shall be sick or disabled, and thereby prevented from attending his Duty, that then and in such Case only, it shall and may be lawful for such Inspector, and he is hereby required to nominate and appoint one other Person, being a sufficient Planter, and well skilled in Tobacco, which Person so as aforesaid to be appointed, is to view, inspect, pass, and stamp, or refuse, the Tobacco brought to the said House, during the Sickness or Disability of such sick or disabled Inspector, (the said Person so appointed first taking the Oath of Office, and other Oaths, or Affirmation if a Quaker), directed by this Act to be taken by Inspectors; and the said sick or disabled Inspector, and his Sureties, shall still be answerable for the said Tobacco, so by the Person by him appointed, inspected and passed, in the same Manner, as if he had personally officiated.

[Where  
there is but  
one Inspec-  
tor, and he  
sick, he must  
appoint;]

p. 44

[But himself  
to be an-  
swerable.]

And be it further Enacted, That if any Tobacco shall be brought to any of the said Warehouses, the said Inspectors, or one of them, in Case of Sickness or other Disability, where two are appointed to attend such House, or the Inspector if one only is appointed to attend, after he or they, hath or have, viewed, examined, and weighed, the said Tobacco, according to the Directions of this Act, shall be obliged to deliver the Person bringing the same, as many promissary Notes under the Hands of the said Inspectors, or Inspector, as shall be required, for the full Quantity received by them or him, in which shall be expressed whether the Tobacco so received, be Stemmed.

[Notes to be  
given by In-  
spectors for  
Tobacco  
brought to  
the Ware-  
houses for  
Payment of  
Debts;]

Liber H. S. Leaf, or Coloured; which Notes shall, and are hereby declared to be  
 No. I Current in all Tobacco Payments whatsoever, in the County where  
 the Tobacco shall be Inspected, according to the Species expressed  
 [To be cur- in the Note, and shall be transferable from one to another in all  
 rent and such Payments (except as herein is excepted), and shall be paid and  
 transfer- satisfied by the Inspector or Inspectors, who signed the same, upon  
 able.] Demand: And for every Hogshead of Tobacco brought to any  
 public Warehouse, for the Discharge of any public or private Debt,  
 [Allowance of 4 per Cent. for Tobacco brought in good Cask.] in good Cask, of such Dimensions as herein after expressed, there  
 shall be allowed by the Inspector or Inspectors thereof, to the Person  
 bringing the same, after the rate of Four Pounds of Tobacco, for  
 every Hundred Pounds the Tobacco therein contained shall weigh,  
 after the same shall be viewed and passed. And the said Inspector or  
 Inspectors shall, and are hereby obliged to make every Hogshead  
 by him or them paid away, in Discharge of any Note by him or them  
 given as aforesaid, to contain Nine hundred and Fifty Pounds of  
 [Weight.] Nett Tobacco at the least, exclusive of the Allowance for the Cask;  
 and for every such Hogshead of Tobacco by him or them paid away,  
 well lined and nailed fit for Shipping, there shall be paid by the  
 Person receiving such Hogshead, Seven Shillings for inspecting,  
 p. 45 and Six Pence for Nails; which said Sum of Six Pence, the said  
 [Allowance to Inspectors for Nails, &c.] Inspectors or Inspector shall and may retain in his or their Hands,  
 for his or their own Use, to reimburse him or them the Expence of  
 providing Nails: And the Person demanding or receiving Tobacco  
 in Discharge of Notes as aforesaid, shall allow to the Inspector or  
 Inspectors Four Pounds of Tobacco per Centum, for the Cask, and  
 Two Pounds of Tobacco for every Hundred Pounds of Tobacco  
 contained in such Notes; and so proportionably for a greater or lesser  
 [Shrinkage.] Quantity, for Shrinkage and Wasting, if the said Tobacco be paid at  
 any Time within Two Months after the Date of the Note given for  
 the same; and One Pound of Tobacco for every Hundred, for every  
 Month the same shall be unpaid after the said Allowance; so as such  
 Allowance for Shrinkage and Wasting do not exceed, in the whole,  
 Six Pounds of Tobacco for every Hundred. And if any Inspector or  
 Inspectors, by whom any such Notes for Tobacco as aforesaid shall  
 be signed, shall refuse or delay to pay and satisfy the same when  
 demanded, every Inspector, so refusing or delaying, shall forfeit  
 and pay, to the Party injured, double the Value of the Tobacco so  
 refused or delayed to be paid; to be recovered with Costs, in any  
 Court of Record within this Province, if the Note or Notes so re-  
 fused or delayed to be paid exceed Six hundred Pounds of Tobacco;  
 and if the said Note or Notes do not exceed Six hundred Pounds of  
 Tobacco, double the Value aforesaid shall and may be recovered  
 [The Pen- before any Justice of the Peace of the County wherein the Ware-  
 alty.] house shall be, at which the Note or Notes ought to be paid

And be it further Enacted, by the Authority aforesaid, That all Tobacco brought to any of the said Warehouses in Hogsheads, Casks, or Cases, to be exported on Account and for the Use of the Owner thereof, after the same shall have been viewed, examined, and weighed, and found to be good, shall be stamped as herein before directed: And the said Inspector, or Inspectors, shall deliver to the Person bringing the same, as many Receipts signed as aforesaid, as shall be required for the Number of Hogsheads so brought and stamped. And for every Hogshead, Cask, or Case, brought to any of the said Warehouses on the Eastern-Shore, to be exported, on Account and for the Use of the Owners thereof, there shall be paid to the Inspector, or Inspectors there attending, Three Shillings and Six Pence, for viewing, examining, and stamping the same; and the Owners of the said Tobacco shall find and provide Nails for the nailing thereof. And for every Hogshead, Cask, or Case, brought to any of the said Warehouses, on the Western-Shore, to be exported on Account and for the Use of the Owners thereof, there shall be paid to the Inspector, or Inspectors there attending, Three Shillings, for viewing, examining, and stamping the same; and the Owners of the said Tobacco shall find and provide Nails for the nailing thereof.

Liber H. S.  
No. I

[Inspected  
Hogsheads  
to be  
stamped.]

[3 s. 6 d. al-  
low'd on the  
Eastern-  
shore.]

[3 s. on the  
Western.]

p. 46

And be it further Enacted, That during the Continuance of this Act, no Tender of any Debt or Duty payable in Tobacco shall be accounted lawful, unless Payment of the same shall be tendered in Inspector or Inspectors Notes or Receipts.

[What is  
lawful Ten-  
der.]

And for restraining the undue Practice of mixing trash with stemmed Tobacco, and preventing the packing Tobacco in unsizable Casks, Be it Enacted and Declared, That all stemmed Tobacco not laid straight, whether the same be packed loose or in Bundles; and all Tobacco packed in Hogsheads which exceed Forty-eight Inches in the Length of the Stave, and Seventy Inches in the whole Diameters within the Staves at the Croze and Bulge, shall be accounted unlawful Tobacco, and shall not be passed or received: But the Owner of such Tobacco, packed in Casks of greater Dimensions than before expressed, shall be obliged to repack the same in sizable Cask, at his own Cost and Charge, before the same shall be stamped by the said Inspectors.

[Size of To-  
bacco Hogs-  
heads.]

And be it further Enacted, That if any Person whatsoever shall forge or counterfeit the Stamp, Note, or Receipt, of any Inspector, or Inspectors, or tender in Payment any such forged or counterfeited Note or Receipt, knowing it to be such; or export, or cause to be exported, any Hogshead, Cask, Case, Chest, Box, or other Package of Tobacco, stamped with a forged or counterfeit Stamp; or demand Tobacco of any Inspector, or Inspectors, upon any such forged or counterfeited Note or Receipt, knowing such Note or Receipt, or such Stamp, to be forged or counterfeited; or shall put

[Punishment  
for forging  
Notes or  
Stamps.]

Liber H. S. or pack into any Hogshead, Cask, or Case of Tobacco, stamped by  
 No. I any Inspector, any Tobacco whatsoever; or shall draw or take out  
 any Stave, Plank, or Heading-board of any Hogshead, Cask, or  
 Case of Tobacco, after such Hogshead, Cask, or Case of Tobacco,  
 shall be delivered out from any of the public Warehouses aforesaid;  
 every Person so offending, and being thereof convicted by due  
 Course of Law, shall receive Thirty-nine Lashes on his, her, or their  
 bare Backs, and stand in the Pillory for the Space of Two Hours;  
 and that in all such Cases, the Testimony of the Inspector, or In-  
 spectors, joined with other strong and corroborating Circumstances,  
 shall and may be admitted as Evidence.

[Inspectors Notes or Re-  
 cepts being  
 lost, mislaid,  
 or destroyed;  
 in what  
 Manner the  
 Tobacco con-  
 tained  
 therein may  
 be recovered  
 notwith-  
 standing.] And be it further Enacted, by the Authority aforesaid, That if  
 any Inspector or Inspectors Notes or Receipts be casually lost, mis-  
 laid, or destroyed, the Person or Persons intitled to receive the  
 Tobacco by Virtue of any such Note or Receipt, shall make Oath, or  
 Affirmation if a Quaker, before a Justice of the Peace of the County  
 where the same is payable, to the Number or Date of every such Note  
 or Receipt, to whom and where payable, and for what Quantity of  
 Tobacco the same was given, and that such Note or Receipt is lost,  
 mislaid, or destroyed; and that he, she, or they, at the Time such  
 Note or Receipt was lost, mislaid, or destroyed, was lawfully intitled  
 to receive the Tobacco therein mentioned; and shall take a Certificate

P. 47 thereof from such Justice: And upon producing a Certificate of  
 such Oath or Affirmation to the Inspector or Inspectors who signed  
 such Note or Receipt, and lodging the same with them, the said  
 Inspector or Inspectors shall, and he or they are hereby directed to  
 pay and deliver to the Person obtaining such Certificate, the Tobacco  
 for which any such Notes or Receipts were given (if the same, or  
 any Part thereof, shall not have been before by him or them paid,  
 by Virtue of the said Notes or Receipts,) and shall be thereby dis-  
 charged from all Actions, Suits, and Demands, on Account of such  
 Notes or Receipts. And if any Person shall be convicted of making  
 a false Oath or Affirmation, or producing a forged Certificate, in the  
 Case aforesaid, he shall forfeit and pay Thirty Shillings Current  
 Money for every Hundred Pounds Weight of Tobacco contained in  
 such Certificate, and so in Proportion for a less Quantity; and  
 moreover, upon Conviction in any Court of Record, shall suffer as  
 in Case of wilful and corrupt Perjury.

[Penalty and  
 Punishment  
 in case of  
 false Swear-  
 ing and  
 Forgery.] And be it further Enacted, by the Authority aforesaid, That all  
 Tobacco due, or to grow due and payable, for Public and County  
 [Public and  
 County  
 Levies, Par-  
 ish charges,  
 Officers and  
 Attorneys  
 Fees where  
 to be paid.] Levies, Parochial Charges, and all Officers and Attorneys Fees, which  
 shall not be discharged and paid in Money, as by the Paper Currency  
 Act or this Act is directed, and the Allowance to the Clergy hereby  
 settled, shall be paid and discharged in the following Manner; that  
 is to say, The Public and County Levies, in any of the Warehouses  
 within the County on which the same shall be levied; Parochial

Charges, and the Allowance to the Clergy, in some Warehouse within that Parish, if required; and all Officers and Attorneys Fees, in some of the Warehouses within the County where the Person shall live to whom the same shall be Chargeable: And should there happen to be any County or Parish without a Warehouse, that then and in such Case all the aforesaid Public and County Levies, Parochial Charges, Officers and Attorneys Fees, or such Part thereof as shall not be paid in Money, and Clergy's Allowance, shall be paid by Inspector or Inspectors Notes, at some Warehouse or Warehouses in the next adjacent County or Parish, as the Case may require. Provided always, That no Transfer Notes of the preceding Year shall pass in any such Payment.

Liber H. S.  
No. 1

[Old Notes  
not to pass.]

And be it Enacted, That at the Time of laying any Public or County Levies, there shall be levied for the Sheriff that is to collect and pay the same, Six Pounds per Centum, and no more; which the said Sheriff is hereby impowered to retain in his own Hands.

p. 48

[Sheriff's  
Commis-  
sion.]

And be it further Enacted, That during the Continuance of this Act, the County Courts shall levy on the taxable Inhabitants of the respective Parishes, or Part of Parishes, within their Counties, no more than Thirty Pounds of Tobacco per Poll, instead of Forty Pounds of Tobacco per Poll by a former Act directed; notwithstanding any Thing in the said former Act contained: And that the Clergy shall be paid by Inspector or Inspectors Notes in their respective Parishes, by the several and respective Sheriffs if an Inspecting Warehouse be in the Parish, otherwise at the next adjacent Inspecting Warehouse or Warehouses to the said Parish, where such his Parishioners have their Tobacco inspected; for which Payment the Sheriff shall retain in his own Hands Six per Centum, and no more.

[Thirty per  
Poll to be  
paid the  
Clergy, in-  
stead of 40  
by a former  
Law.]

[Inspectors  
not to delay  
payment.]

[Sheriff's  
Commis-  
sion.]

And be it further Enacted, That the several Officers and Attorneys of this Province, at the Time of sending their several Lists and Accounts to the Sheriffs of the several Counties for Collection, shall and are hereby obliged to make, at the Foot of each Account they shall so send for Collection, in Case the same be paid in Tobacco, a Deduction of Ten per Centum for Conveniency; and that any Officer and Attorney who shall neglect or omit to make such Deduction as aforesaid, he or they shall forfeit every such Debt, to the Party or Parties from whom the same shall be due and owing; any Thing to the contrary notwithstanding.

[10 per Cent.  
to be de-  
ducted: Or,]

[The Debt  
forfeited.]

And be it Enacted, That out of every Hundred Pounds of Tobacco paid in discharge of all Officers and Attorneys Fees, and the Public and County Levies, when paid in Tobacco, and so proportionably for a greater or lesser Quantity, there shall be made an Allowance or Abatement to the Payer of Ten Pounds of Tobacco per Centum, during the Continuance of this Act.

[Allowance  
to Payers of  
Officers  
Fees, &c. if  
paid in  
Tobacco.]

Liber H. S. And be it further Enacted, That during the Continuance of this  
 No. I Act, the Clerk or Register of every Court within this Province, in  
 taxing the Costs of any Judgment or Decree, obtained or to be  
 [Allowance to Clerks of Courts for taxing Costs of any Judgment or Decree.] obtained, shall deduct out of the said Costs the same Allowance for  
 Convenience, as shall or ought to be made and allowed to the Party  
 first charged with the Fees so taxed in the Bill of Costs by the respec-  
 tive Officers; and Execution shall issue for no more than the said  
 Costs amount to after the said Deduction.

p. 49 And for the Ease of the Inhabitants of this Province, in the Pay-  
 ment of the Public and County Levies, Be it further Enacted, by the  
 [Deduction of One Fifth, to be made, at the laying of County Levies, &c.] Authority aforesaid, That at the laying of every such Levy, during  
 the Continuance of this Act, there shall be made a Deduction of one  
 Fifth Part out of all Tobacco now due, and hereafter to become due  
 (save Officers Fees, as regulated by this Act), with which the Public  
 and several Counties are chargeable, by Virtue of any Acts of Assem-  
 bly of this Province: And that it shall and may be lawful for all  
 Persons charged with the remaining Four Fifths, and the Officers  
 Fees regulated as aforesaid, in such Levies, to pay the same in Money,  
 at Twelve Shillings and Six Pence per Cent, during the Continuance  
 of this Act, so as such Payments shall be made by the Tenth Day of  
 April, yearly, and every Year.

And be it Enacted, That all Lawyers Fees, which shall be paid in  
 [And Law- yers Fees.] Inspected Tobacco, shall be liable to the Abatement and Deduction of  
 One Fifth.

And be it further Enacted, That all Public and County Levies,  
 [Public and County Levies, Pa- rochial Charges, At- torneys and Officers Fees, &c. which shall be paid, or are payable, in Tobacco, to be paid before the 10th of June, yearly.] Parochial Charges, and Attorneys Fees, that shall be paid in Tobacco,  
 Clergy's Allowances, and all Officers Fees, payable in Tobacco, shall  
 be paid and satisfied by the Persons chargeable with, and indebted for  
 the same, to the respective Sheriffs, by Inspector or Inspectors Notes,  
 before the Tenth Day of June yearly, during the Continuance of this  
 Act: And if any Person chargeable with Levies, Parochial Charges,  
 Clergy's Allowances, and Fees, as aforesaid, shall neglect or refuse  
 to pay the same within the Time aforesaid, it shall and may be lawful  
 for the Sheriffs, immediately after the said Tenth Day of June, to  
 distrain the Goods and Chattels of the Person or Persons so neglect-  
 ing and refusing, and to sell and dispose thereof at the Expiration of  
 five Days after Distress made, for Tobacco or Money, as the Case  
 may be, at public Auction; all which shall be done by the said  
 Sheriff without Fee or Reward, and the Overplus if any be beyond  
 what will satisfy the Demands aforesaid, shall be returned to the  
 Debtor.

Provided always, That when any Person who shall be indebted for  
 [Execution may be made for Fees, &c. in Case, &c.] Public or County Levies, Clergy's Dues, Parochial Charges, Officers  
 and Attorneys Fees, shall refuse to shew Tobacco to the Sheriff, or  
 any other Goods or Chattels, to be distrained, that then and in such

Cases it shall and may be lawful for the Sheriff to take such Person in Execution for such Levies, Dues, Charges, and Fees. And the Sheriffs shall, before the last Day of June yearly, pay and deliver to each Creditor, according to their respective Debts or Claims, all the Inspector or Inspectors Notes, or Money, he hath received in Satisfaction thereof: And if any Sheriff shall refuse or delay to make Payment accordingly, if required, he or they so refusing or delaying shall forfeit and pay to the Party grieved double the Value of the Tobacco, or Money, so refused or delayed to be paid, to be recovered with Costs, if the Party Creditor only inclines to sue the Sheriff; or otherwise, if he sues his Bond in this Case, the Creditor shall only take his Debt, Interest, and Costs, out of the Sheriffs Bond that shall be sued.

Liber H. S.  
No. I

[Sheriffs to  
pay before  
the last of  
June.]

p. 50

And be it further Enacted, That when any Tobacco shall be brought to any of the public Warehouses, and refused by the Inspector or Inspectors there officiating, the same shall be immediately burnt by them, unless the Owner, or Person bringing such Tobacco, desires to sort and separate the same, and to pick out such as is bad; in which Case the Inspector or Inspectors shall permit the same to be done, at the Warehouse to which the said Tobacco shall be brought, without Fee or Reward; but shall not on any Pretence suffer the said Tobacco to be removed, or carried from the said Warehouse. And the said Inspector or Inspectors shall allow One Month for separating or picking such Tobacco; after which Time, if the same be not done, it shall be lawful for him or them to burn the whole: except where the Tobacco is in a Sweat, or where the Circumstances or Accidents of Weather may have prevented the handling of it, in which Case the Inspector or Inspectors shall allow such further Time as he or they shall think reasonable. And where any Tobacco shall be separated and picked as aforesaid, the trash and bad Tobacco shall be burnt by the Inspector or Inspectors the same Day it is picked out, under the Penalty of forfeiting Seven Shillings for every Failure, to the Informer. And if any Tobacco packed in Cask by an Overseer, or the Hands under his Care, shall be burnt by the said Inspector or Inspectors by reason of it's being bad, unsound, or not in good Condition, the Overseer who had the Care of making and packing the same, shall bear the Loss of the Tobacco so burnt, and make Satisfaction for the same, out of his Share of the Crop, or otherwise. And the Inspector or Inspectors shall be obliged to keep an Account of all Tobacco so burnt.

[Tobacco  
refused by  
the Inspect-  
ors, to be  
burnt; un-  
less the  
Owner de-  
sires to sort  
or pick it.]

[The whole  
to be burnt,  
if not sorted  
in One  
Month: ex-  
cept where  
it may be  
necessary to  
allow a  
longer  
Time.]

[Overseers  
to make  
good all  
burnt To-  
their own  
making and  
packing.]

And to the Intent that the just Quantity of Tobacco exported, may be more exactly known, and all evil Practices to defraud his Majesty of his Customs prevented, Be it Enacted by the Authority aforesaid, That all and every Inspector or Inspectors shall carefully enter in a Book, to be provided and kept for that Purpose, the Marks, Numbers, Gross, Nett Weight, and Tare, of all Tobacco viewed and

[Frauds in  
his Majes-  
ty's Cus-  
toms, how to  
be pre-  
vented.]

p. 51

Liber H. S. stamped by him or them as aforesaid, and in what Ships or Vessels  
 No. I the same shall be laden or put on board: And shall also, with every Sloop load, or Boat load of Tobacco, send a List of the Marks, Numbers, Gross, Nett Weight, and Tare, of every Hogshead of Tobacco then delivered, to be given to the Master of the Ship or Vessel in which the same shall be put on board. And if the Tobacco delivered to the same Sloop or Boat, is intended to be put on board several Ships or Vessels, then he or they shall deliver so many distinct and several Lists as aforesaid, of the Hogsheads to be put on board such Ship or Vessel respectively; which Lists every Master of a Ship or Vessel is required to produce to, and lodge with the Naval Officer of the District where the Ship or Vessel whereof he is Master shall ride, or by whom he shall be Cleared, sometime before her Clearance. But whereas it may happen that the Ship, in which such Tobacco was intended to be put, may be so full as not to be capable of stowing all the Tobacco contained in such List; in such Case it shall and may be lawful to ship the said Tobacco, or any Part thereof, on board any other Ship or Ships, where the Owner thereof shall think fit, the Masters of such Ships indorsing, on the said Lists, the Marks and Numbers of the respective Hogsheads by them taken on board, and giving Notice to the Inspector or Inspectors of the Warehouse from whence the same was brought: Or if there be no Ship to receive the said Tobacco, then it shall and may be lawful for the Master of the first mentioned Ship or Vessel, to put the said Tobacco in the nearest Warehouse to the Place where such Ship shall ride, giving immediate Notice thereof to the Inspector or Inspectors who stamped the same. And the Inspector or Inspectors of that Warehouse where such Tobacco shall be delivered, shall give a Receipt for the same, and shall cause the said Tobacco to be safely lodged, and delivered to the Order of the Owner thereof, whenever he or she shall think fit to ship it off; and that without Fee or Reward.

And be it likewise Enacted, That it shall not be lawful for any Skipper of any Flat, Sloop or other Vessel, after the last Day of November, One Thousand Seven Hundred and Fifty Three, to take any Tobacco from any Warehouse within this Province, in Order to carry the same on board any Ship, or other Vessel, for Exportation, before such Skipper shall make Oath, or Affirmation if a Quaker, before the Inspector or Inspectors of such House or Houses, (who are hereby authorized and required to administer the same), That all such Tobacco which he shall, from Time to Time, take on board such Flat, Sloop, or other Vessel, he the said Skipper will, with all Opportunity of Wind and Weather, convey or cause to be conveyed on board such Ship, or Vessel, to which it shall be directed by the Owner or Owners thereof, to be loaden for Exportation; and that he the said Skipper will not take, nor suffer to be taken by any Person whatever, any Tobacco out of such Hogshead or Hogsheads whilst

[Skippers  
 of Flats, &c.  
 carrying To-  
 bacco, to be  
 sworn.]

[The Oath.]



the same shall remain under his Care and Management. And if any Skipper as aforesaid, shall refuse or delay taking the Oath, or Affirmation if a Quaker, aforesaid, in Manner and Form aforesaid, such Skipper for every Hogshead of Tobacco taken on board contrary to the Intention of this Act, shall forfeit and pay the Sum of Twenty Pounds Current Money, One Half thereof to the Informer, or him, her, or them, that shall sue for the same; and the other Half to be applied to the Use of the several and respective Counties, to defray the Expences that may accrue in the due Execution of this Act: To be recovered by Action of Debt, Bill, Complaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

Liber H. S.  
No. I

[Penalty of  
20 l. on re-  
fusing to  
take the  
Oath.]

And be it further Enacted, That every Master of a Ship, or Vessel, wherein Tobacco shall be laden, shall, at the Time of Clearing, deliver to the Naval Officer, Three fair Manifests of all the Tobacco on board his Ship, or Vessel, expressing the Marks and Numbers of every Hogshead, and the Tare and Nett Weight stamped thereon, the Person by whom Shipped, and from what Warehouse, and shall make Oath, or Affirmation if a Quaker, thereto, and that the same is a just and true Account of the Marks, Numbers, Tare, and Nett Weight of each respective Hogshead, as the same was taken down by the Person or Persons appointed by him to take the same, before the said Tobacco was stowed away. And no Ship or Vessel shall be Cleared by the Naval Officer before he shall have received such Lists and Manifests, one of which said Manifests shall, by the said Naval Officer, be annexed to such Masters Certificate or Clearance, to the End the same may be delivered to the Chief Officer of the Customs in such Port or Place where the said Ship shall unlade; and the other two of the said Manifests shall, by the said Naval Officer, be transmitted to the said Chief Officer of the Customs by the two next convenient Opportunities.

[Masters of  
Ships to  
lodge 3 fair  
Manifests,  
sworn to  
with the  
Naval  
Officers.]

And be it further Enacted by the Authority aforesaid, That Public Warehouses for the Inspection of Tobacco, pursuant to this Act, shall be kept at the several Places herein after mentioned: That is to say;

[Public  
Warehouses  
established.]

p. 53

In the County of St. Mary's, At Chaptico, on the Land of Philip Key, under one Inspection: On a Plantation where a certain Gilbert Mackey lives, under one Inspection: At St. Innegoos, on the Land of Stephen Milburn, under one Inspection: At Wiccocomico, on the Land of John Llewellyn, under one Inspection: At the Court-House, on the Land of Abraham Barnes, under one Inspection: At Mr. Cole's, on Cole's Creek, under one Inspection: At Town Creek, on the Land belonging to Hugh Hopewell, under one Inspection.

[In St.  
Mary's.]

In Kent County, At Chester-Town, under one Inspection: At Abraham Falconar's, at the Head of Chester River, and at George-Town, at Sassafras River, under one Inspection: At Worton Creek,

[Kent.]

Liber H. S. on the Land of William Graves, called Buck-Neck, under one Inspection: At Miles Mason Shehawns, on Langford's Bay under one  
No. I Inspection: At Samuel Tovey's, on Grays-Inn-Creek, under one Inspection.

In Anne-Arundel County, At Elk-Ridge Landing, on Patapsco  
[Anne-Arundel.] River, on the Land of Philip Hammond, Esq; under one Inspection: At Indian Landing, on Severn River, under one Inspection: At Macclefish's, alias Howard's Point, on the South Side of South River, and at the Landing commonly called Taylor's, near Kilkenny, on Patuxent River, under one Inspection: At Pig-Point on Patuxent River, and at Thomas Sprigg's Point on West-River, under one Inspection: At Annapolis, at the Warehouse of Patrick Creagh, under on Inspection.

In Calvert County, At the Head of St. Leonard's Creek, on the  
[Calvert.] Land of John Somervill, under one Inspection: On Hunting Creek, on the Land of Robert Freeland, under one Inspection: At Lower-Marlbrough, on the Land of Major John Smith, under one Inspection: At Plumb-Point, on the Land of Joseph Isaac, under one Inspection.

In Charles County, At Benedict-Town, on Patuxent River, on the  
[Charles.] Land of George Maxwell, under one Inspection: At Piles's Fresh, on Mrs. Jane Parnham's Land, at the Head of Wiccocomico River, under one Inspection: At Lower-Cedar-Point, on Charles Jones's Land, under one Inspection: At Chandler's Point, on the Land of William Neale, on Port-Tobacco Creek, under one Inspection: At Nanjemoy, on Potowmack River, on the Land of Richard Harrison, under one Inspection: At Chickamuxon Creek, on the Land of Henry Moore, under one Inspection: At Pamunkey Creek, on the Land of John Stoddert, under one Inspection.

In Somerset County, At Princess-Anne-Town, near Monokin  
[Somerset.] Bridge, and on the Land of Thomas Maddox, below the Mouth of Back Creek, under one Inspection: On Great-Animessex, the Land  
p. 54 of Outerbridge Horsey, on Colebourne's Creek, at a Place called the Old-Town, and on Pocomoke, Rehoboth-Town, under one Inspection: On Wiccocomico River, at the Warehouse near Greenhill-Town, and at the Head of Barren Creek, on Nanticoke River, on the Land of William Brown, under one Inspection.

In Talbot County, At Kings-Town, on the Lots of William Gale  
[Talbot.] and William Wilson, and at Parson's Landing, on the Land of James Lloyd, under one Inspection: At Philip Emerson's Landing, under one Inspection: At Thomas Bruff's Landing, on Miles River, under one Inspection: At Daniel Sherwood's Landing, on Broad Creek, under one Inspection: At Oxford, on the Lots of Richard Gildart, and Grundy Pemberton, under one Inspection.

In Dorchester County, At David Melvill's Warehouse, under one Inspection: At Hunting Creek Warehouse, under one Inspection: On the East Side of the North-West Fork of Nanticoke, above Cratcher's Ferry, under one Inspection: At Henry Ennalls, junior, his Warehouse at Choptank Ferry, under one Inspection: At Edward White's Warehouse, on Little Choptank, under one Inspection: At Plymouth Warehouse, on Fishing Creek, under one Inspection. Liber H. S.  
No. I  
[Dor-  
chester.]

In Cæcil County, At Frederick-Town on Sassafras River, under one Inspection: At John Holland's at Bohemia Ferry, under one Inspection: At Charles-Town, on North East River, under one Inspection. [Cæcil.]

In Baltimore County, At Baltimore-Town, on the West Side of the Falls, on the Land of Thomas Harrison, under one Inspection: At Joppa, at the Ferry Landing near the Point House, on Gunpowder River, under one Inspection: At the Fork of Gunpowder, at the old Landing, under one Inspection: At Otter-Point Landing near the Red-Clift, on Bush River, under one Inspection: At John Loney's, on Swan Creek, under one Inspection: And at the Rock-Run on Susquehanna River, under one Inspection. [Baltimore.]

In Prince George's County, At Queen-Anne-Town, on Patuxent River, under one Inspection: At Upper-Marlborough, on the Land of Joseph Sim, under one Inspection: At Nottingham, on the Land of James Russell, under one Inspection: On the Land of Alexander Magruder, under one Inspection: At Bladensburg, on the Land of Dr. David Ross, under one Inspection: At Broad-Creek, on the Land of Humphry Batts, under one Inspection: At Piscataway, on the Land of John Hawkins, junior, under one Inspection. [Pr.  
George's.]

In Queen-Anne's County, On Samuel Blunt's Dwelling Plantation, under one Inspection: At Charles Brown's Landing, under one Inspection: At the Head of Corsica Creek, on the Land of William Hopper, under one Inspection: At the House commonly called Porter's Warehouse, on the Land of William Campbell, under one Inspection: At the House commonly called Wells's Warehouse, on Chester River, under one Inspection: At Pemberton's Warehouse, under one Inspection: At Choptank Bridge, under one Inspection. p. 55  
[Queen  
Anne's.]

In Worcester County, At Col. Scarborough's Warehouse, in Snow-Hill-Town, under one Inspection: At the Warehouse, in New-Port-Town, under one Inspection: At Baltimore-Town, on Indian River, under one Inspection: At Broad Creek, on the North Side, at the Wading Place, under one Inspection. [Worcester.]

In Frederick County, At the Head of Rock Creek, the Rolling-House which George Gordon built, under one Inspection. [Frederick.]

And there shall be paid to the several Inspectors, to be appointed to attend in Virtue of this Act at the said several Warehouses, the Salaries herein after mentioned. [Inspectors  
Salaries in.]

Liber H. S. To each Inspector, in St. Mary's County, At Chaptico, on the  
 No. I Land of Philip Key, Forty Pounds to each Inspector: On a Plantation where a certain Gilbert Mackey lives, to the Inspector Thirty-five  
 [St. Mary's Pounds: At St. Innego, on the Land of Stephen Milburn, Thirty-  
 County:] five Pounds to the Inspector: At Wiccocomico, on the Land of John Llewellyn, Forty Pounds to the Inspector: At the Court-House, on the Land of Abraham Barnes, Forty-five Pounds to the Inspector: At Mr. Cole's on Cole's Creek, Forty Pounds to the Inspector: At Town Creek, on the Land belonging to Hugh Hopewell, Thirty Pounds to the Inspector.

In Kent County, At Chester-Town, Forty Pounds to each Inspector: At Abraham Falconar's, at the Head of Chester River, and at George-Town, on Sassafras River, Forty Pounds to each Inspector: At Worton Creek, on the Land of William Graves, called Buck-Neck, Fifteen Pounds to each Inspector: At Miles Mason Shehawns, on Langford's Bay, Twenty-five Pounds to each Inspector: At Samuel Tovey's on Grays-Inn-Creek, Twenty-five Pounds to each Inspector.

In Anne-Arundel County, At Elk-Ridge Landing, on Patapsco River, Forty-five Pounds to each Inspector: At Indian Landing, on Severn River, Thirty Pounds to each Inspector: At Macclefish's, alias Howard's Point, on the South Side of South River, and at the Landing commonly called Taylor's, near Kilkenny, on Patuxent River, Thirty-seven Pounds Ten Shillings to each Inspector: At Pig-Point on Patuxent River, and at Thomas Sprigg's Point, in West-River, Forty-five Pounds to each Inspector: At Annapolis, at the  
 p. 56 Warehouse of Patrick Creagh Twenty-five Pounds to the Inspector.

In Calvert County, At the Head of St. Leonard's Creek, on the Land of John Sommervill, Forty Pounds to the Inspector: At Hunting Creek, on the Land of Robert Freeland, Forty-five Pounds to the Inspector: At Lower-Marlborough, on the Land of Major John Smith, Fifty-five Pounds to the Inspector: At Plumb-Point, on the Land of Joseph Isaac, Thirty Pounds to the Inspector.

In Charles County, At Benedict-Town, on Patuxent River, Thirty-five Pounds to each Inspector: At Piles's Fresh, on Mrs. Jane Parnham's Land, at the Head of Wiccocomico River, Forty Pounds to each Inspector: At Lower-Cedar-Point, on Charles Jones's Land, Thirty-five Pounds to each Inspector: At Chandler's Point, on the Land of William Neale, on Port-Tobacco Creek, Fifty Pounds to each Inspector: At Nanjemoy, on Potowmack River, on the Land of Richard Harrison, Thirty Pounds to each Inspector: At Chickamuxon Creek, on the Land of Henry Moore, Thirty Pounds to each Inspector: At Pamunkey Creek, on the Land of John Stoddert, Thirty Pounds to each Inspector.

In Somerset County, At Princess-Anne-Town, near Monokin Bridge, and on the Land of Thomas Maddox, below the Mouth of

Back Creek, Thirty Pounds to each Inspector: On Great-Aimessex, Liber H. S. No. I on the Land of Outerbridge Horsey, on Colchourne's Creek, at a Place called the Old-Town, and on Pocomoke River, at Rehoboth-Town, Thirty Pounds to each Inspector: On Wiccocomico River, at the Warehouse near Greenhill-Town, and at the Head of Barren Creek, on Nanticoke River, on the Land of William Brown, Thirty Pounds to each Inspector.

In Talbot County, At Kings-Town, on the Lots of William Gale and William Wilson, and at Parson's Landing, on the Land of [Talbot:] James Lloyd, Forty Pounds to each Inspector: At Philip Emerson's Landing, Thirty Pounds to each Inspector: At Thomas Bruff's Landing, on Miles River, Thirty Pounds to each Inspector: At Daniel Sherwood's Landing, on Broad Creek, Twenty Pounds to each Inspector: At Oxford, on the Lots of Richard Gildart, and Grundy Pemberton, Thirty-four Pounds to each Inspector. Provided, That the Inspectors of the Warehouse at Daniel Sherwood's Landing, be not obliged to attend at the said Warehouse, more than Four Days in every Week.

In Dorchester County, At David Melvill's Warehouse, Forty Pounds to the Inspector: At Hunting Creek Warehouse, Fifty [Dorchester:] Pounds to the Inspector: On the North-East Side of the North-West Fork of Nanticoke, above Cratcher's Ferry, Twenty-five p. 57 Pounds to the Inspector: At Henry Ennalls, junior, his Warehouse at Choptank Ferry, Fifty Pounds to the Inspector: At Edward White's Warehouse, on Little Choptank, Forty Pounds to the Inspector: At Plymouth Warehouse, on Fishing Creek, Twenty Pounds to the Inspector.

In Cæcil County, At Frederick-Town, on Sassafras River, Thirty-five Pounds to each Inspector: At John Holland's at Bohemia Ferry, [Cæcil:] Twenty-five Pounds to each Inspector: At Charles-Town, on North East River, Twenty Pounds to the Inspector.

In Baltimore County, At Baltimore-Town, on the West Side of the Falls, Fifty-five Pounds to each Inspector: At Joppa, at the Ferry Landing near the Point House, on Gunpowder River, Forty [Baltimore:] Pounds to the Inspector: At the Fork of Gunpowder, at the old Landing, Forty Pounds to the Inspector: At Otter-Point Landing near the Red-Cliff, on Bush River, Forty Pounds to each Inspector: At John Loney's, at Swan Creek, Thirty-five Pounds to the Inspector: At the Rock-Run, on Susquehanna River, Forty Pounds to the Inspector.

In Prince George's County, At Queen-Anne-Town, on Patuxent River, Forty-five Pounds to each Inspector: At Upper-Marlborough, [Pr. George's:] on the Land of Joseph Sim, Forty-five Pounds to each Inspector: At Nottingham, on the Land of James Russell, Thirty-eight Pounds to each Inspector: At Magruder's, on the Land of Alexander Magruder,

Liber H. S. No. I Thirty Pounds to each Inspector: At Bladensburg, on the Land of David Ross, Forty-five Pounds to each Inspector: At Broad Creek, on the Land of Humphry Batts, Thirty Pounds to each Inspector: At Piscataway, on the Land of John Hawkins, junior, Forty Pounds to each Inspector.

[Queen Anne's:] In Queen-Anne's County, On Samuel Blunt's Dwelling Plantation, Forty Pounds to each Inspector: At Charles Brown's Landing, Thirty Pounds to each Inspector: At the Head of Corsica Creek, on the Land of William Hopper, Forty Pounds to each Inspector: At the House commonly called Porter's Warehouse, on the Land of William Campbell, Forty Pounds to each Inspector: At the House commonly called Wells's Warehouse, on Chester River, Thirty Pounds to each Inspector: At Pemberton's Warehouse, Forty Pounds to each Inspector: At Choptank Bridge, Twenty-five Pounds to each Inspector.

[Worcester:] In Worcester County, At Col. Scarborough's Warehouse, in Snow-Hill-Town, Thirty Pounds to the Inspector: At the Warehouse, in New-Port-Town, Thirty Pounds to the Inspector: At Baltimore-Town, on Indian River, Ten Pounds to the Inspector: At Broad Creek, on the North Side, at the Wading Place, Twelve Pounds Ten Shillings to the Inspector.

[Frederick.] In Frederick County, At the Head of Rock Creek, the Rolling-House which George Gordon built, Sixty Pounds to each Inspector.

[The Vestry of Q. Caroline Parish to chuse Inspectors for the Warehouse at Elk-Ridge Landing.] And be it further Enacted, That the Vestrymen and Churchwardens of Queen-Caroline Parish in Anne-Arundel County, have full Power and Authority to elect and recommend Four Inspectors for a Warehouse, appointed to be at Elk-Ridge Landing, situate and being in St. Margaret's Westminster Parish, and to proceed as if the said Warehouse had by this Act been appointed to be in Queen-Caroline Parish; and that the Vestrymen and Churchwardens of St. Margaret's Westminster Parish, no way intermeddle with the Election or Recommendation of Inspectors for the said Warehouse to be at Elk-Ridge Landing: And that the said Inspectors and Inspection be under the same Regulation as if nominated and recommended by the Vestrymen and Churchwardens of St. Margaret's Westminster Parish; any Thing in this Act contained to the contrary notwithstanding.

[Inspectors, when and how chosen.] And be it further Enacted, by the Authority aforesaid, That all Tobacco that shall be brought to any of the public Warehouses herein before mentioned, shall be viewed, examined, and inspected, by such Person or Persons as shall be thereunto appointed, who shall be called Inspectors, and nominated and appointed in Manner and Form following; that is to say, The several and respective Vestrymen and Churchwardens of every Parish within this Province, wherein any Warehouse shall be erected or established in Virtue of this Act, or

the major Part of them, shall and may, and they are hereby authorized and required, to meet together at their several and respective Parish Churches, between the First and the Tenth Days of September, yearly and every Year, during the Continuance of this Act, and to nominate and recommend to the Governor or Commander in Chief of this Province, for the Time being, Four or Two able and sufficient Planters, well skilled in Tobacco, for each and every Inspection within their different Parishes, as the Case may require, for the Execution of the Office of Inspector or Inspectors, without having regard to the Residence of such Person for Inspectors, as aforesaid: And where it shall happen that Two Warehouses under One and the same Inspection, shall be in different Parishes, the Vestrymen and Churchwardens of each Parish, or the major Part of them, shall nominate and recommend Two, or One, able and sufficient Planter or Planters, well skilled in Tobacco, as the Case may require, for such Inspection.

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[If two Warehouses, under one Inspection, be in several Parishes, each Parish to chuse.]

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And be it Enacted, That the several and respective Vestrymen and Churchwardens, in both these Cases, shall forthwith transmit Certificates of such Nomination and Recommendation, to the Sheriff of the said County, who shall forthwith transmit the same to the Clerk of the Council for the Time being, to be by him immediately laid before the Governor or Commander in Chief for the Time being; out of which said Four, or Two, Persons, in the First Case to be nominated and recommended for Inspector or Inspectors, the Governor or Commander in Chief shall and may appoint, by Warrant under his Hand, Two Persons out of the Four, or One Person out of the Two, recommended to him from any One Vestry and Churchwardens, to be Inspector or Inspectors, as the Case may require; and in the latter Case, that is, where it shall happen that Two Warehouses under One and the same Inspection shall be in different Parishes, there the Governor or Commander in Chief, for the Time being, shall and may choose and appoint Two Persons to be Inspectors in Manner aforesaid, to wit, One out of the Nomination and Recommendation of each Parish to execute the Office of Inspectors, at such Inspection.

[Lists to be returned to the Governor, to chuse two out of the four, or one out of two.]

And be it further Enacted, That if any Person who is or shall be appointed by his Excellency the Governor, or Commander in Chief for the Time being, to be an Inspector, shall refuse to take upon himself the Execution of the said Office or Duty, such Person, so refusing, shall be, and is hereby obliged and directed to signify such his Refusal in Writing, under his Hand, directed to the Clerk of the Council, for the Time being, and shall within Ten Days from the Receipt of his Warrant, deliver such Writing to the Sheriff of the County or his Deputy, where such Person shall reside, under the Penalty of Fifty Shillings Current Money; to be recovered before One Magistrate as in Case of small Debts, and the said Sheriff shall and is hereby obliged to forward the same, in the like Manner that

[Inspectors, if they refuse, to give Notice in Ten Days.]

Liber H. S. public Letters by the Laws of this Province are to be forwarded,  
 No. I which are directed for his Lordship's Service; and every Inspector  
 or Inspectors to be chosen, and accepting the Office, shall not resign  
 his said Office, or refuse to act therein, until the First Day of November,  
 yearly.

And be it further Enacted, That where the same Persons are, by  
 [In Case of any of the Vestries, again rechose to serve as Inspectors for the Year  
 being next following, they, and every of the said Inspectors, shall, if they  
 rechosen.] incline to serve, signify their Acceptance thereof, within Ten Days  
 p. 60 next after such Time of their being so rechosen, which Signification  
 shall be made in the same Manner, as Persons appointed by his  
 Excellency the Governor to be Inspectors are by this Act before  
 directed, to signify their Refusal to accept of such Office.

And be it further Enacted, That in Case of the Death, Refusal,  
 [In Case of or Removal of any Inspector or Inspectors, the Governor or Com-  
 the Death, mander in Chief, for the Time being, shall and may nominate and  
 &c. of an appoint, any other Person or Persons mentioned in the last Recom-  
 Inspector.] mendation, to be sent him from such Vestrymen and Churchwardens  
 for any Inspection, where a Vacancy shall or may happen, as afore-  
 said, to succeed any Inspector or Inspectors, as aforesaid refusing,  
 removed, or dead: But should it so happen, that by Deaths, Refusals,  
 or Removals, there should not be Persons enough left in the Nomi-  
 nations of the respective Vestrymen and Churchwardens, so as afore-  
 said to be transmitted, for the Appointment of the Governor or Com-  
 mander in Chief, then and in such Case, the Vestrymen and Church-  
 wardens of any Parish or Parishes, where this shall happen to be the  
 Case, shall immediately meet, as aforesaid, and elect Four or Two,  
 as the Case shall require, for Inspector or Inspectors, and, as before,  
 transmit Certificates of such Nomination and Recommendation to  
 the Sheriff of the said County, who shall forthwith transmit the same  
 to the Clerk of the Council, to be as before laid by him before the  
 Governor or Commander in Chief, out of which the said Governor,  
 or Commander in Chief, shall appoint a sufficient Number according  
 to the true Intent and Meaning of this Act, to serve as Inspector or  
 Inspectors respectively, according and in pursuance of the Recom-  
 mendation aforesaid, from the respective Vestrymen and Church-  
 wardens.

Provided always, And it is the true Intent and Meaning of this  
 [Proviso.] Act, that though the Vestrymen and Churchwardens are to elect  
 Inspectors annually, yet where they elect again a former Inspector  
 or Inspectors, they shall continue such without any new Appointment  
 by the Governor, or Commander in Chief.

And be it further Enacted, That every Vestryman or Church-  
 [Vestries not warden who shall neglect or refuse (not being prevented by Sickness,  
 to neglect to meet,) or some unavoidable Accident) to meet according to the Directions  
 p. 61 of this Act, to nominate and recommend an Inspector or Inspectors,  
 or who being so met, shall omit, neglect, or refuse, to nominate and



recommend an Inspector or Inspectors, whereby Inspectors shall not be nominated and recommended in Pursuance of this Act, shall forfeit and pay Five Pounds Current Money, with Costs of Suit, for every such Offence; One Moiety to the Informer, the other Moiety to the Uses in this Act mentioned, and to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, shall be allowed.

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[To nominate and recommend Inspectors.]

Provided always, That no Vestryman or Churchwarden, who shall be an Inspector, shall have or be allowed, so long as he shall be an Inspector, any Vote in the Nomination or Recommendation of any other Inspector or Inspectors; and that where any Person or Persons shall be appointed in Pursuance of such Nomination and Recommendation, as already mentioned, and shall afterwards and again be nominated and recommended to be an Inspector or Inspectors for the ensuing Year, such Nomination and Recommendation shall be a sufficient Power to such Inspector or Inspectors to be and continue in the said Office, without any further Appointment; and so from Year to Year, so long as he or they shall be nominated and recommended as aforesaid.

[Proviso.]

And be it further Enacted, That every Vestryman and Churchwarden shall take the following Oath, before they proceed to the Nomination or Recommendation of any Inspector or Inspectors; to wit, I A. B. do swear, that I will faithfully, honestly, and justly, nominate and recommend such Person or Persons, to be an Inspector or Inspectors, as I think in my Judgment and Conscience is or are fit and capable to execute the Office of an Inspector or Inspectors. So help me God.

[Oath to be taken by Vestrymen and Churchwardens.]

And be it further Enacted, by the Authority aforesaid, That the Justices of each respective County within this Province shall, with all possible Speed, make Enquiry who are the Proprietors or Owners of the Ground whereon any Warehouse or Warehouses, within the respective Counties are by this Act directed to be built, and then direct their Clerk to issue a Note in Writing, to the Sheriff of the respective County, who is hereby required to serve the same, thereby signifying to such Proprietors or Owners, or his or her Guardian, Husband, or Attorney, that a Warehouse is directed by Act of Assembly to be erected at such a Place, naming it, being his, her, or their Land; and thereby also requiring the said Proprietor or Owner, if they think proper, to be and appear before them on a certain Day therein to be mentioned, which shall not, in point of Time, exceed Ten Days, in order to agree with such Proprietor or Owner, for the Value of the said Acre or Half Acre of Land, as the Case may happen: And that if the Proprietor or Owner of the said Land should happen to be under Age, Feme Covert, or beyond Seas, then the like Note in Writing shall be made and served on the Guardian, Husband,

[Concerning the Owners of Lands whereon the Warehouses are to be built.]

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- Liber H. S. or known Attorney; and there the Justices aforesaid, in Case the  
 No. 1 Party appears, shall demand if he, she, or they, will build a Ware-  
 house, and Wharff, and erect Prizes, and Cranes, at such Place?  
 And in Case the Proprietor or Owner, Guardian, Husband, or Attor-  
 ney, will undertake such Building on the Terms of this Act, and an  
 Agreement shall be made with them to that Purpose, by such Jus-  
 tices or the major Part of them, then such Person, so agreed with  
 as aforesaid, shall have the Preference to any other Person: But in  
 Case the Proprietor or Owner, Guardian, Husband, or Attorney, as  
 aforesaid, shall not appear at the Day to be appointed, and notified  
 to them as aforesaid, or upon appearing, will not agree to build as  
 aforesaid, that then the Justices as aforesaid, may agree with any  
 other Person who will undertake to build a Warehouse, Wharff, and  
 other Conveniences as aforesaid at such Place. And in Case the Jus-  
 tices as aforesaid do or shall enter into any Agreement either with  
 the Proprietor or Owner, Guardian, Husband, or Attorney, as afore-  
 said, or with any other Person that will undertake the Building  
 aforesaid, the said Justices shall take Bond in the Penalty of Two  
 Hundred Pounds, conditioned to build a Warehouse and Wharff, and  
 provide Cranes where necessary, and Prizes, and all other Con-  
 veniences, at such Place, and keep the same in Repair, during the  
 Continuance of this Act, according to such Agreement; which said  
 Bond shall be taken in the Name of the presiding Justice of the  
 County, and his Successor and Successors, and shall be recorded by  
 the County Clerk: And in Case of Loss of the original Bond, a Copy  
 thereof, attested by the Clerk, shall be as good Evidence as the Ori-  
 ginal, and an Action may be brought and maintained on such Copy;  
 nor shall such Action abate by the Death of any presiding Justice, in  
 whose Name it may be sued: And in Case the Proprietor or Owner,  
 Guardian, Husband, or other Person, will not build such Warehouse,  
 p. 63 Wharff, and other Conveniences, then the Justices as aforesaid shall  
 agree, on the best Terms they can, with a proper Workman or Work-  
 men to build such House, Wharff, and other Conveniences, at the  
 most reasonable Price, and to have the same Building done so espe-  
 cially as to receive Tobacco by the first Day of April, in the Year  
 One Thousand Seven Hundred and Fifty Four.

And be it further Enacted, That in Case the Proprietor or Owner,  
 Guardian, Husband, or Attorney, as aforesaid, will not build on  
 such Lands as aforesaid, that then and in such Case the Justices as  
 aforesaid proceed to set a Value, in Current Money, on the Acre or  
 Half Acre of Land, as the Case shall be; and whatever Value the  
 said Justices shall so set on the same, it shall be paid in Manner  
 following; that is to say, If any other than the Proprietor or Owner  
 shall undertake the said Building, and providing other Conveniences,  
 then such Undertaker shall pay to the Proprietor or Owner the Sum  
 so set by the Justices as aforesaid for the said Land; and from and

[Of such  
 Owners re-  
 fusing to  
 build.]

[Lands to be  
 valued and  
 sold, where  
 the Owner  
 refuses to  
 build.]

after such Payment, such Undertaker, upon building as aforesaid, shall have an absolute Estate in Fee Simple, in said Acre or Half Acre of Land, as the Case shall be. And in Case the Proprietor or Owner of such Land, the Guardian, Husband, or Attorney, aforesaid, will not build as aforesaid, nor that any other Person will undertake the doing thereof on the Terms of this Act, that then and in such Case the Justices as aforesaid shall, without Delay, agree with some Workman or Workmen to build as aforesaid: And then such Justices, or the major Part of them, are hereby required and obliged to apply, by their Order or Orders in Writing, to the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, at the City of Annapolis, for so much Money in Bills of Credit, as will pay for the Land valued, or to be valued by them; as also for such further or other Sum or Sums of Money, as will compleat the Buildings aforesaid, and other Conveniences, which the said Justices shall find requisite for the Uses of such Inspecting House or Houses. Provided always, That the Justices of any One County shall not take out of the said Loan-Office a Sum exceeding One Hundred Pounds Current Money, for any One House, and the other Necessaries thereto belonging.

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[Justices to employ Workmen to build, when the Case requires it.]

And be it Enacted, That where the Justices aforesaid shall cause to be built and made the said Warehouses, Wharffs, and other Conveniences, that they paying or tendering the Value of the Land, so as aforesaid set, to the Proprietor or Proprietors, the Guardian, Husband, or Attorney, as aforesaid, as the Case shall be, that then such Justices shall have an absolute Estate in Fee Simple, to them and their Successors, the said Land, to the Use of the County: And where the said Buildings and other Conveniences shall be made and found by the Justices as aforesaid, the several Inspectors shall pay the Sum of Nine Pence Current Money, for every Hogshead in this Act mentioned so as aforesaid, by him or them taken in and delivered out, to the said Justices; and shall, by the said Justices, be applied to defray the Charge of their respective Counties.

[Justices purchasing the said Land, to be invested with an Estate in Fee Simple.]

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And be it further Enacted, That where any Money shall be taken out of the Loan Office, by the Justices of any County Court within this Province, for purchasing Land, building any of the Warehouses, and supplying the same with Necessaries, according to the Directions of this Act, the same shall be satisfied by and out of the public Levy, or Stock, of this Province, and not otherwise.

[Deficiency in repaying the Money taken out of the Loan Office, how to be supplied.]

And be it further Enacted, That there shall be kept at every One of the said Warehouses a good and sufficient Beam, Weights, and Scales, to weigh Twelve Hundred Gross Pounds at the least; and a Set of small Weights, the same that are or ought to be provided for the Standard Weights of each County: And the said Justices are hereby required and obliged to keep the same in good Repair, together with Blocks, Tackles, and other Necessaries.

[Beams, Weights, and Scales, to be kept at each Warehouse.]

Liber H. S. And be it further Enacted, That the Commissioners or Trustees  
 No. I for emitting Bills of Credit shall, and they are hereby obliged to pay  
 [Commissioners of the Paper Office to pay the Justices such Sums as shall be required.] to the Justices of the several and respective Counties within this Province, such Sum and Sums as they shall respectively require according to the Direction of this Act: And the said Trustees are hereby obliged and directed to keep distinct Accounts with each respective County, charging therein the Sums paid, and to what Justices, and of what County; And moreover, The said Justices are hereby directed and required, some Time in the Month of March, in every Year, to appoint Two or more of their Number to view the said Scales, and examine and try the Weights, at the several Warehouses, by the Standard Weights of the County; and if the same or the other Necessaries hereby required, shall want repairing, or the Weights be found deficient or differing from the lawful Standard, the said Justices shall cause the same to be repaired and amended, and the Weights made conformable to the Standard; and the Charge of repairing and amending as aforesaid shall be paid by the  
 p. 65 Inspectors respectively, and be again allowed them in their Accounts with the said Justices.

And be it further Enacted, That in Case the Proprietor or Owner, Guardian, Husband, or Attorney, as aforesaid, shall undertake the Building as aforesaid, and keeping the same in Repair; or in Case he, she, or they, will not, and that the same be done by any other Person as aforesaid; that in either of these Cases the Builder or Builders shall be, and are hereby obliged to let the same to the Inspector or Inspectors of such Warehouse, under the Penalty of Two Hundred Pounds Current Money of this Province, at the Rates following; that is to say, The Inspector or Inspectors of such Warehouse shall, and are hereby obliged to pay to the Party building as aforesaid, Nine Pence for every Hogshead of Tobacco that shall be received into such Warehouse, and delivered out of the same inspected, and that annually.

And be it further Enacted, That where the Warehouse or Warehouses, Wharffs, Prizes, and Cranes, are already built, and continued by this Act to be Warehouses for the Inspection of Tobacco, the Owners or Proprietors thereof are hereby obliged to Let the same to the inspector or Inspectors, as the Case shall be, under the Penalty aforesaid; and in that Case, the Rent of Nine Pence per Hogshead as aforesaid, shall be paid to such Owners or Proprietors of such Warehouses respectively, by the several Inspectors; and the Residue of the Seven Shillings per Hogshead, and the Three Shillings and Six Pence on the Eastern Shore, and the Three Shillings on the Western Shore, per Hogshead, mentioned in this Act, shall be applied to pay and defray the Charge of the Inspectors Salaries and other Expences, such as, finding Weights and Scales and other Necessaries, mentioned in this Act, and the keeping them in Repair,

according to the true Intent and Meaning of this Act, and that for all Matters relating to the Expence of putting this Act in Execution, and the Profits to be raised thereby, the several Inspectors shall annually lay before the respective Justices, fair and distinct Accounts of the Profits and Loss, relating to their respective Offices, on Oath, or Affirmation if a Quaker; and the Justices aforesaid shall settle and adjust such Accounts, and that if the Profits of said Warehouses, shall over and above bear the Expences of this Act, that then the overplus Money shall be applied to defray the Charge of the County.

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No. I

[Inspectors  
to Account  
annually.]

And be it further Enacted, That where any Warehouses shall be Built by the Justices, or other Persons not Proprietors, and shall hereafter happen to be discontinued for Fifteen Months, the Proprietor of the Land returning the Price paid for the said Land, shall be from thenceforth seized of his former Estate.

[In Case  
Warehouses  
are disus'd  
15 months.]

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Provided always, That nothing herein contained, shall be construed to give Power to the said Justices to take away the Houses, Orchards, or other immediate Conveniences of any Proprietor of Land, for the Uses or Purposes aforesaid; nor to the said Inspectors to keep any Horses, Cattle, or Hogs, at any the Public Warehouses (except in Inclosures), upon the Land appointed for such Warehouses; and if any Swine belonging to the said Inspectors, or any of them, shall be found at large upon the Land appropriated for such Warehouses, or the Lands adjoining thereto, it shall and may be lawful for the Proprietor of the Land, on which the said Warehouses are to be placed, to kill or cause them to be killed, or destroyed. And the said Justices, in their respective Counties shall, and are hereby declared to have full Power to put in Execution so much of this Act, as relates to the erecting and building of Public Warehouses, and to regulate all Matters concerning the same, and to direct the building and repairing of Houses, Wharffs, Prizes, Cranes, and other Conveniences, from Time to Time, as to them shall seem necessary and expedient: And in Case, where the Proprietor, Guardian, Husband, or Attorney, or any other Person (save the Justices), shall build, and shall refuse, or neglect to make Repairs, and other necessary Conveniences, such as the said Justices shall direct, it shall and may be lawful for the said Justices, and they are hereby required to have the same done at the Charge of the County, and the Justices of such County shall receive so much of the Nine Pence per Hogshead, so as aforesaid to be paid for the Rent, as will reimburse the County the Money expended in such Repairs. And if upon Application of the Inspectors to the Justices aforesaid, for building and making other necessary Houses, Wharffs, and Repairs, such Justices shall refuse to do their Duty therein, every Justice so failing or refusing, shall forfeit and pay Five Pounds Current Money; to be recovered in the County Court, with Costs, by

[Justices not  
to take  
away Or-  
chards, &c.  
Inspectors  
not to keep  
Hogs, &c. at  
the Ware-  
houses, ex-  
cept in  
Inclosures.]

Liber H. S. Action of Debt, or Information, against such refusing Parties severally, in the Name of the respective Inspector or Inspectors, and to be applied to the Use of such Warehouse or Warehouses, on which the Refusal shall happen as aforesaid.  
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p. 67 And be it Enacted, That if any of the Warehouses herein before mentioned shall happen to be burnt, the Loss of Tobacco sustained thereby, shall be made good and repaired to the several Persons injured, by, an Allowance in the public Levy, at the next Sessions after such Loss; and in Case of such Accident, no Inspector or [If Ware-  
houses  
should hap-  
pen to be  
burnt.] Inspectors shall be sued, or molested, for or by reason of any Promissary Notes, or Receipts, by them given for any Tobacco burnt in the said Warehouse, but shall be altogether acquitted and discharged of and from the Payment of the Tobacco, in such Notes, or Receipts, mentioned: any Thing before to the contrary notwithstanding.

And be it further Enacted, by the Authority aforesaid, That the [County  
Clerks Duty  
in assisting  
Magis-  
trates.] Clerk of each County within this Province, do, and shall, provide a well-bound or stitched Book, to have Recorded therein, all their Proceedings relating to this Act; and that it be the Duty of the Clerk of the County Court, for the Time being, to attend them on all Occasions relating to this Act, and that he be qualified by Oath, before some Magistrate, to keep fair and just Entries of the Proceedings of the said Justices, and do all other necessary Services, in relation to this Act, that shall be required of him by the Justices aforesaid; for all which Services he shall annually be allowed, out of the Profits arising by Virtue of this Act, a Sum not exceeding Five Pounds Current Money. And as it may be necessary for the [To be al-  
low'd Five  
Pounds.] Justices to have the Lands mentioned in this Act, where Houses are to be Built, surveyed, butted and bounded, they are hereby required and directed to employ the Surveyor of the County, or some other skilful Person to do such Service for which the Surveyor, or such other Person, shall be allowed in the County Levy, for each Warehouse-Land he shall lay out, butt and bound, the Sum of Ten Shillings Current Money. [Ware-  
house-Land  
to be sur-  
vey'd.]

And for the better detecting of Inspectors who shall not do their Duty, Be it Enacted, That the Justices of the County Court shall hear, and determine, all Complaints against them, and if they shall find them deficient in their Duty, they shall remove any such Inspector or Inspectors, and their Proceedings shall be in a Summary Way; and if they adjudge any Inspector or Inspectors to be Removed, the said Justices, in such Case, shall, with all convenient Speed, notify the same to the Governor or Commander in Chief, for the Time being. Provided always, That the Inspector or Inspectors to be complained against, be summoned to appear and make his or their Defence: but in Case he or they will not appear, his [Ill Prac-  
tices of In-  
spectors  
how pun-  
ish'd.] Non-appearance shall be taken for a Confession, without some reasonable Excuse be given for the same.  
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And for preventing the clandestine Transportation of bad and unmerchutable Tobacco, from this Province, into the Colony of Virginia, or the Province of Pennsylvania, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or the reputed Limits of the said Province, or Counties, as now settled by Inhabitants, or to any other Ports or Places whatsoever, out of this Province; and also, for the better preventing the Exportation of Tobacco in Bulk or Parcels: Be it Enacted, by the Authority aforesaid, That no Tobacco whatsoever, of the Growth or Production of this Province, shall, during the Continuance of this Act, be transported or carried either into the said Colony of Virginia, or the Province of Pennsylvania, or the Three Lower Counties upon Delaware, called New-Castle, Kent and Sussex, or the reputed Limits of the said Province or Counties as now settled by Inhabitants, or to any other Ports or Places whatsoever, out of this Province, either by Land or Water, until the same hath been first Viewed, Examined and Stamped, at one or other of the Warehouses appointed or to be appointed in pursuance of this Act, nor until due Entry thereof shall be made with the Officers of the Customs in the District wherein the Owner of the said Tobacco shall reside, and a Permit obtained from them for that Purpose. And if any Person or Persons, shall presume to carry or transport, or cause to be carried or transported, any Tobacco not inspected and Stamped, or without having obtained such Permit, as aforesaid, to the said Colony of Virginia, or the Province of Pennsylvania, or the Three Lower Counties upon Delaware, called New-Castle, Kent and Sussex, or the reputed Limits of the said Province, or Counties, as now settled by Inhabitants, or to any other Ports or Places whatsoever, out of this Province, he or they so offending, shall forfeit and pay Five Pounds, for every Hogshead, Cask, or Case of Tobacco, and Twenty Shillings for every Hundred Pounds of Tobacco in Bulk or Parcel, so transported or carried out, contrary to the Directions of this Act.

Liber H. S.  
No. 1

[Trash Tobacco not to be transported out of the Province, by Land or Water.]

[Penalty.]

And be it further Enacted, That all Sheriffs, Under-Sheriffs, and Constables, who shall be in Office on the Thirtieth Day of November, One Thousand Seven Hundred and Fifty Three, at the first Court to be held for their respective Counties after the said Thirtieth Day of November, shall take an Oath, That if they shall at any Time know, or be credibly informed, or have good reason to suspect, that any Tobacco is pressed or packed in any Cask, Case, Chest, or other Package whatsoever, or any Tobacco is put on board any Boat or Vessel, in order to be shipped off without being Inspected, or that any Tobacco is carrying or carried out of this Province, either by Land or Water, into the Colony of Virginia, or the Province of Pennsylvania, or the Three Lower Counties on Delaware called New-Castle, Kent, and Sussex, or the reputed Limits of the said Province or Counties, as now settled by Inhabitants, or to any

[An Oath to be taken, by Sheriffs, Constables, and Inspectors,]  
p. 69

[The Oath.]

Liber H. S. other Ports or Places whatsoever, out of this Province, without a  
 No. I Permit for so doing, they will forthwith make Information and a  
 [Penalty for particular Discovery thereof to the next Justice of the Peace of the  
 not taking County where such Tobacco shall be. And that all Sheriffs and  
 the Oath.] Under-Sheriffs respectively, which shall after the said Thirtieth Day  
 of November be Appointed or Sworn into the said Offices, shall,  
 at the Time of their being Sworn, take the same Oath, and obtain  
 a Certificate thereof; and every such Officer failing so to do, shall  
 forfeit Five Pounds Current Money to the Informer, to be recovered  
 with Costs, by Action of Debt or Information, in any Court of  
 Record within this Province. And every Inspector and Constable  
 shall take the same Oath, or Affirmation if a Quaker, at the first  
 Court held for the County where he resides, or at the same Court  
 if Sworn at the County Court, after he shall be Sworn into his  
 Office, under the like Penalty.

And be it likewise Enacted, That any Justice of the Peace of any  
 County, near the Place where any Ship, Sloop, Boat, or other  
 [Justices to Vessel, shall ride, upon Application to him made by any Person  
 issue War- suspecting any Tobacco in Bulk or Parcel, Hogshead or Hogsheads,  
 rants for to be laden on board such Ship, Sloop, Boat, or other Vessel, con-  
 searching suspected Vessels.] trary to the Directions of this Act, such Justice shall, and he is  
 hereby impowered and required to issue his Warrant, directed to the  
 Sheriff, or any Constable of his County, and the Sheriff, or Con-  
 stable, shall have full Power and Authority, and he is hereby re-  
 quired to enter and go on board such Ship, Sloop, Boat, or other  
 Vessel, to search for and seize such Tobacco, and the same being  
 seized, shall be brought on Shore, and carried before the same, or  
 any other Justice, who shall cause the same to be immediately  
 weighed, and if trashy or bad, immediately burnt, if good, carried  
 to the Inspecting-House, there to be Inspected, and sold for the  
 p. 70 Use of the County. And if any Master, Owner, or commanding  
 Officer of any Ship, or Vessel, or the Skipper of any Sloop, Boat, or  
 other Vessel, or any other Person whatsoever, shall resist the Officer  
 in the Execution of any such Warrant, every such Master, Owner, or  
 commanding Officer, shall forfeit and pay Fifty Pounds, and every  
 such Skipper, Sailor, or other Person so resisting, shall forfeit and  
 pay Twenty Pounds; which Forfeitures shall be recovered in any  
 Court of Record of this Province, by Action of Debt, Bill, Plaint, or  
 [Masters or Skippers re- Information, wherein no Essoin, Protection, or Wager of Law, nor  
 sisting, to be fined 50 l. more than one Impar lance shall be allowed; one Half thereof to the  
 and the pay 20 l.] Informer, the other Half to be applied to the several and respective  
 Sailors, each Counties to defray the Expence that hath or may accrue in the due  
 20 l.] Execution of this Act. And if any Action shall be brought against  
 any Justice of the Peace, Sheriff, Under-Sheriff, or Constable, or  
 other Officer appointed by this Act, for doing any Thing in Execu-  
 tion of this Act, the Defendant may plead the General Issue, and



give this Act in Evidence, and if the Plaintiff shall be Nonsuit, or a Judgment pass against him upon a Verdict or Demurrer, the Defendant shall recover double Costs. Liber H. S.  
No. I

And be it further Enacted, by the Authority aforesaid, That no Person taking upon himself the Office of an Inspector, shall, during his Continuance in that Office, or within two Years next after he shall be out of his said office, be capable of being elected a Member of the House of Delegates; or shall presume to intermeddle, or concern himself with any Election of a Delegate or Delegates, otherwise than by giving his Vote; or shall endeavour to influence any Person, or Persons, to give his or their Vote; under the Penalty of Fifty Pounds for every Offence. Neither shall any Inspector, during the Time aforesaid, be, or undertake to be, Collector of his Lordship's Quit-Rents, or of any Public, County, or Parish Levies, or of any Officers Fees; nor shall, directly or indirectly, for himself, or any other Person, during his Continuance in the said Office, buy or receive by way of Barter, Loan, or Exchange, any Tobacco whatsoever, or suffer or permit any Tobacco to be bought by any Person or Persons whatsoever, with any Money arising by the Sale of any Goods, Wares, or Merchandizes whatsoever, made by any of the Inspector or Inspectors, either upon their own Accounts, or the Accounts of any other Person or Persons whatsoever; nor shall any way intermeddle with, or busy him or themselves in procuring Tobacco, to be sold or consigned to any Merchant, or in lading any Ship or Vessel with Tobacco (except the proper Tobacco of such Inspector or Inspectors), under the Penalty of Thirty Shillings Currency for every Hundred Pounds Weight of Tobacco, and so in Proportion for a less Quantity, so bought or received, or procured to be consigned or laden on board such Vessel; to be recovered before one Magistrate, as in Case of small Debts, where the Forfeiture does not exceed Fifty Shillings, and where it exceeds Fifty Shillings, in any Court of Record, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information; one Half thereof to the Use of the Informer, and the other to the several respective Counties, to defray the Expence that hath or may accrue in the due Execution of this Act. Provided always, That nothing herein contained shall be construed to hinder any Inspector from receiving his own proper Debts or Rents in Tobacco, which shall be first viewed, examined, and stamped, according to the Directions of this Act. p. 71

[Inspectors not to be capable of being Members of the House of Delegates, or Collectors of Quit Rents, or Public, or County Levies; nor to receive Tobacco by way of Loan, Barter, or Exchange.]

[But may receive their own Debts or Rents in Tobacco.]

And, for the further and better Direction of the Inspectors aforesaid in their Duty, Be it Enacted, That no Inspector shall take, accept, or receive, directly or indirectly, any Gratuity, Fee, or Reward, for any Thing by him to be done in Pursuance of this Act, other than his Salary, and the other Payments and Allowances herein before mentioned and expressed. And if any Inspector shall take, accept, or receive any such Gratuity, Fee, or Reward, every such Inspector, being thereof convicted, shall forfeit and pay Fifty [Penalty.]

[Inspectors not to accept of any Fee, or Reward.]

Liber H. S. Pounds Current Money; to be recovered with Costs, by any Person  
 No. I or Persons who shall inform, or sue for the same, by Action of Debt,  
 Bill, Plaint, or Information, in any Court of Record within this  
 Province: And moreover shall be disabled from holding the Place  
 or Office of an Inspector, or any other Office, during the Continuance  
 of this Act. And if any Person or Persons shall offer any Bribe,  
 Reward, or Gratuity, to any Inspector, for any Thing by him to be  
 done in Pursuance of this Act, other than the Fees and Allowances  
 herein before mentioned and appointed, every Person so offending,  
 and being thereof convicted, shall for every such Offence forfeit and  
 pay Ten Pounds Current Money, to be recovered in any Court of  
 Record within this Province; to the Uses in this Act hereafter  
 mentioned.

And be it further Enacted, That when any Person shall be  
 intitled to receive a Hogshead of Tobacco, by Virtue of any In-  
 spector or Inspectors Notes or Receipts, the Inspector or Inspectors  
 shall be obliged to open the Hogshead, and shew such Tobacco to  
 the Person demanding the same, if required, whether such Tobacco  
 be Crop or Transfer: And if such Person shall refuse to accept of  
 the Tobacco offered or tendered in Payment, as bad, unsound, and  
 unmerchantable; such Person so refusing and not accepting thereof,  
 shall make immediate Application to any One Justice of the Peace,  
 in the County where such Warehouse shall be, at which the Tobacco  
 so refused shall be offered or tendered in Payment, who is no  
 ways related to the Parties, nor concerned in Interest; and the said  
 Justice, by Warrant under his Hand, shall immediately appoint  
 Three of the most able Planters, well skilled in Tobacco, and who  
 are no ways related to the Parties, or concerned in Interest, to view  
 and examine the said Tobacco; which said Three Planters so as  
 aforesaid appointed, shall immediately repair before some Justice,  
 and shall take an Oath, or Affirmation if a Quaker, before such  
 Justice, (which Oath, or Affirmation, such Justice is hereby im-  
 powered and required to administer), carefully to view and examine  
 the said Tobacco, and to the best of their Skill and Judgment, not  
 to pass any Tobacco that is not sound, well-conditioned, merchant-  
 able, and clear of trash, according to the Direction of this Act; and  
 that they will therein do their Duty, according to their Judgment  
 and Conscience, without Fear, Favour, Affection, Malice, or Par-  
 tiality: Which said Three Planters, so sworn, are hereby directed,  
 empowered, and required, upon such Application, to repair to the  
 Warehouse where such Tobacco shall be offered or tendered in  
 Payment, and carefully to view and examine the same, in such  
 Manner as they shall think fit: And if any Two of them shall  
 adjudge the Tobacco, or any Part thereof, so tendered or offered  
 in Payment, to be bad, unsound, or unmerchantable, to cause the  
 same Tobacco to be immediately burnt, unless the said Inspector or  
 Inspectors shall desire to pick the same; in which Case the said

[No Person  
 to offer any  
 Bribe or Re-  
 ward.]

[Penalty.]

p. 72  
 [Disputes  
 concerning  
 the Quality  
 of Tobacco  
 demanded of  
 Inspectors,  
 to be decided  
 by 3 skillful  
 Planters ap-  
 pointed by a  
 Magis-  
 trate.]

[The 3  
 Planters to  
 be sworn.]

[The Judge-  
 ment of 2 of  
 them to de-  
 termine.]

Three Planters, chosen to view such Tobacco as aforesaid, shall cause the said Inspector or Inspectors to pick the same, and shall cause the bad, unsound, and unmerchantable Tobacco therein, to be burnt. And for their Trouble, the said Three Planters, who shall be present at such View, shall be paid by the Inspector or Inspectors, who offered the same in Payment, Five Shillings each. And if the said Planters, or any Two of them, shall adjudge the Tobacco, so offered or tendered in Payment, to be good, sound, and merchantable, according to the Directions of this Act, the said Planters so attending shall be paid by the Party desiring such View, Five Shillings each, as aforesaid. And when any Tobacco shall be tendered or offered in Payment by any Inspector, and refused, the said Inspector or Inspectors shall not be at Liberty to tender or offer in Payment, nor the Person demanding the same to receive, any Tobacco in lieu thereof, before such Tobacco shall have been viewed as aforesaid; but the Person refusing shall immediately mark the same. And if any Inspector shall offer or tender in Payment any Tobacco, in lieu of the Tobacco so refused, before the same shall have been viewed as aforesaid, or shall not produce the same Tobacco so refused, to the said Viewers, in either Case, it shall be taken for a Conviction, that the Tobacco first tendered in Payment was bad, unsound, and unmerchantable: And moreover, the said Inspectors shall forfeit and pay Ten Pounds for every such Offence. And if the Person, who shall refuse any Hogshead of Tobacco as aforesaid, shall accept and receive another Hogshead of Tobacco in lieu of that refused, before such Hogshead so refused shall be viewed as aforesaid, he shall forfeit and pay Ten Pounds for every Hogshead.

Liber H. S.  
No. 1

p. 73

[Their Fees, by whom paid.]  
[Tobacco offered and refused, not to be changed without being view'd under a Penalty.]

Provided always, and be it Enacted, That where Two Inspectors in the same Inspection, shall disagree as to the Quality of any Hogshead or Hogsheads of Tobacco, and that a Review shall be required, and such Hogshead or Hogsheads, or any Part thereof, shall be by such Reviewers adjudged unmerchantable, or be burnt by the Directions of this Act, that then, and in such Case, the Inspector who was against first passing such Tobacco or Tobaccos, shall not be burthened with making Satisfaction for the same, or any Part or Parcel thereof; but then, and in such Case, the other Inspector who would have passed the same, and approved thereof, shall be burthened with, and make Satisfaction for, the whole: any Thing in this Act to the contrary in any wise notwithstanding.

[In Case Inspectors disagree in Opinion.]

And when any prized Tobacco shall be brought to any public Warehouse, in order to be Shipped on Freight, and the Inspector or Inspectors there attending, shall Refuse to pass such Tobacco, unless such as shall be bad and unmerchantable be picked and separated from the rest, in such Case, the said Inspector or Inspectors, shall permit the Owner, or other Person bringing such Tobacco, to make use of one or more of their Prizes, for the repacking and prizing such Tobacco. And if there shall be several Hogsheads of Tobacco,

p. 74

[What is to be done by the Owner of Tobacco, when the same is refused to be passed by the Inspectors.]

Liber H. S. belonging to several Owners, to be picked, repacked and prized, at  
 No. I any public Warehouse, the Owner, or other Person bringing the  
 [Tobacco same, whose Tobacco shall be first viewed and refused, shall be first  
 first brought, permitted and allowed to make use of such Prize or Prizes; and the  
 to be first sorted.] same Rule shall be observed in the prizing all Tobacco which shall  
 [3 s. & 6 d. repacked and prized by the Owner thereof, or the Servants and  
 and 3 s. to be Slaves to him belonging, there shall be paid to the Inspectors thereof,  
 paid the only Three Shillings and Six Pence on the Eastern Shore, and Three  
 Inspectors.] Shillings on the Western Shore, for stamping; and for all Tobacco  
 repacked and prized by the Inspectors, Seven Shillings for each  
 Hogshead, and also Six Pence for Nails, unless the Proprietor shall  
 find and provide Nails. And no Inspector shall take or convert to  
 his own Use, or otherwise dispose of, any Draughts or Samples of  
 Freight or Crop Tobacco; but the same (if fit to pass) shall be  
 carefully put into the Hogshead out of which it was drawn, under the  
 [Samples, if Penalty of forfeiting Twenty Shillings for every Draught so taken  
 good, to be away, contrary to the Directions of this Act: To be recovered before  
 replaced.] any Justice of the Peace of the County wherein such Offence shall  
 be committed. And all and every Inspector or Inspectors, if required,  
 shall alter the Mark of any Hogshead of Tobacco, for which they  
 have before given a Receipt; and for preventing Confusion and  
 Mistakes, shall keep a Waste-Book, in which shall be entered the  
 Marks and Numbers of all Hogsheads of Tobacco received by  
 them; and another Book, in which shall be entered the Marks and  
 Numbers thereof, when the same shall be delivered out by them.  
 [Inspectors And all Inspectors, when required, shall be obliged to prize any  
 to keep Hogshead of Crop Tobacco, under Nine Hundred and Fifty Pounds  
 Books of Nett, so as to make it up that Weight; but shall receive the same  
 Marks and Numbers.] Fee upon such Hogshead, as for Transfer Tobacco, and may make  
 the lawful Abatements for the Tobacco prized in. And where any  
 Tobacco shall be brought to any Warehouse, by the Overseer of the  
 Owner thereof, the Inspector or Inspectors shall give Notes and  
 [Notes to be Receipts in the Name of the Owner, and not of the Overseer; which  
 given in the Notes and Receipts shall be delivered to the Owner, or to his  
 Name of the Owners.] Order.

p. 75 And be it further Enacted, by the Authority aforesaid, That any  
 [Light light Hogshead or Parcel of Tobacco, after the same shall be passed  
 Hogsheads of Tobacco, at any public Warehouse, and not stamped, shall and may be delivered  
 not stamped, out by the Inspector or Inspectors to the Owner of their Notes;  
 may be delivered by and such Tobacco may be carried away, for the better sorting and  
 inspectors to stemming the same; provided the Person receiving such Tobacco  
 Owners of shall pay for the Inspection thereof, after the Rate of Seven Shil-  
 their Notes; lings for every Nine Hundred and Fifty Pounds Weight, and so in  
 but not shipped.] Proportion for a greater or lesser Quantity: And that such Tobacco

shall not be shipped off, until it shall be again inspected, passed, and stamped; for which the Inspector or Inspectors shall again receive the established Fees, under the same Penalties as are herein before inflicted, for shipping off, and taking on board any Ship, or other Vessel, Tobacco not inspected, viewed, and stamped, according to the Directions of this Act.

Liber H. S.  
No. I

And be it further Enacted, That the Owner of any Transfer Notes, may at any Time receive and mark Hogsheads of Tobacco for satisfying such Notes, and the Inspector or Inspectors shall take in his or their former Notes, and deliver Crop Notes and Receipts for such Hogsheads, and shall be answerable for the safe keeping thereof, in the same Manner as they are for Crop Tobacco. But the Persons receiving such Hogsheads shall pay to the Inspectors Seven Shillings and Six Pence for the Inspection and Nails, for every Hogshead; that is to say, Four Shillings upon the Eastern Shore, and Four Shillings and Six Pence on the Western Shore, down, and Three Shillings and Six Pence on the Eastern Shore, and Three Shillings on the Western Shore, when the Tobacco shall be delivered out. And the Inspectors shall sell all Transfer Tobacco, which shall not be so received and marked, on the Second or Third Day of holding the Court of their respective Counties, in the Month of November, yearly, by public Auction, in their County Courts respectively held in that Month; and shall pay the Money arising by such Sale, in Satisfaction of their Notes, from Time to Time, to the Proprietors thereof making their Demand; under the same Penalty as is inflicted, for not paying Inspectors Notes.

[Transfer Tobacco, not received and marked, to be sold annually by Auction.]

And for preventing Frauds that may be practiced, by selling only Part of such Tobacco not received as aforesaid, Be it Enacted, That all Inspectors shall, in Ten Days before November Court in each respective County, yearly lodge with the respective County Clerks where they shall officiate, an Account upon Oath, of all the Transfer Tobacco at that Time in their Hands, before the same shall be exposed to Sale: And all Inspectors shall keep a just and true Account of the Tobacco gained or saved, upon the Allowances made for Cask or Shrinkage of Transfer Tobacco, and if any Tobacco shall be so gained or saved, shall exhibit an Account thereof upon Oath, or Affirmation if a Quaker, in the same Manner as is before directed, concerning Transfer Tobacco not received: and shall also sell the Tobacco so gained and saved, in the same Manner as is before directed for the Sale of Transfer Tobacco, and shall account for the Money arising by such Sale to the Justices aforesaid; and no Inspector shall convert any Tobacco so gained or saved, to his own Use, either by the Allowances for Shrinkage, or Four per Cent for Casks, or otherwise howsoever.

[Frauds in selling only Part of the Transfer Tobacco, how to be prevented.]  
p. 76

Liber H. S. And be it further Enacted, by the Authority aforesaid, That all  
 No. I Inspectors shall annually, in November Court, after the Sale of the  
 Transfer Tobacco, and one Day before the laying of the County  
 Levy, account with the Justices of the respective Counties upon  
 Oath, or Affirmation if a Quaker, for all Moneys received, or which  
 [Inspectors to account every Nov. Court with the Justices.] ought to be received, by them, by Virtue of this Act (except the  
 Money paid for Nails), for every Hogshead of Transfer: In which  
 Account they shall be allowed their Salaries, the Rent for Ware-  
 houses, and other necessary Disbursements, in Pursuance of this Act.

And be it further Enacted, That all Debtors now owing Tobacco,  
 which did arise due before the Sixteenth Day of May, Seventeen  
 Hundred and Forty Seven, their Executors and Administrators,  
 [A Fourth to be deducted from old Tobacco Debts.] shall, if they pay their Tobacco Debts then due, in Inspected Tobacco,  
 at Warehouses, in Pursuance of this Act, be allowed by their several  
 and respective Creditors, their Executors or Administrators, a De-  
 duction of one Fourth Part of their said Debts or Demands.

And forasmuch as several, or most of the Traders, within this  
 Province, have kept their Books in Money, though in Truth their  
 Dealings have been for Tobacco, and the Intention both of Creditor  
 and Debtor hath been, that the Payment should be made in Tobacco:  
 Be it therefore Enacted, That in all such Cases, the Creditor shall  
 be paid in Tobacco at the general Rates such Creditor dealt, at the  
 Time such Contract was made, and according to the true Intent  
 and Meaning of this Act, deducting from such Debts one Fourth  
 Part of the Demands, as aforesaid, if the Creditor be paid in In-  
 spected Tobacco, in Case of Debts due before the Sixteenth Day  
 of May, Seventeen Hundred and Forty Seven, and not otherwise.

And be it further Enacted, by the Authority, Advice and Consent  
 aforesaid, That all Judgments, Bonds, Bills, Mortgages, Bills of  
 Exchange, Notes, or other Securities of any Kind, for the Payment  
 of Money, instead of Tobacco, which have been or shall be taken,  
 in order to elude the Provision made by this Act, or the Act, entitled,  
 An Act for amending the Staple of Tobacco, for preventing Frauds  
 in his Majesty's Customs, and for the Limitation of Officers Fees,  
 made at a Session of Assembly begun and held at the City of  
 Annapolis, on the Sixteenth Day of May, Seventeen Hundred and  
 Forty Seven, for the Abatement and Deduction of Tobacco-Debts,  
 by any Person or Persons whatsoever, to his, her, or their own Use,  
 or to the Use or in Trust for any other Person or Persons, since  
 the Fifteenth Day of May, Seventeen Hundred and Forty Seven,  
 shall be Void and of none Effect.

And be it further Enacted, That if any Judgment hath been ren-  
 dered, or shall be rendered, and that any Execution hath been, or  
 shall be, issued, that the Party may sue an Audita Querela; and if  
 any Person or Persons shall be sued on any such Bond, Bill, Mort-  
 gage, Bill of Exchange, Note, or other Security, taken in order to  
 elude the Provision made by this Act, or the Act entitled, An Act  
 [If Execu- tion be is- sued, in such Case, the Party may sue an Audita Querela.]

for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, made at a Session of Assembly begun and held at the City of Annapolis, the Sixteenth Day of May, Seventeen Hundred and Forty Seven, as aforesaid, that the Defendant or Defendants may Plead the General Issue, and give the Special Matter in Evidence, and if it shall appear to the Court or Jury who shall Try the Fact, that the Bond, Bill, Mortgage, Bill of Exchange, Note, or other Security, upon which the Suit shall be commenced, was given for Money in lieu or stead of Tobacco, in order to elude the Provision made by this, or the said recited Act, as aforesaid, that the Plaintiff shall be Nonsuit, and pay the Defendants Costs.

Liber H. S.  
No. 1

And to the End that no Defendant may be injured, by the Difficulty of proving the Fact, Be it Enacted, That it shall and may be lawful for the Court, wherein any such Judgment hath been, or shall be entered, or wherein any such Action shall be commenced, to examine and interrogate the Plaintiff or Plaintiffs, upon his or their Oath, or Affirmation, in case a Quaker or Quakers, is or are concerned, for what Consideration such Judgment, Bond, Bill, Mortgage, Bill of Exchange, Note, or other Security, was passed, and if it shall appear upon such Examination, that the same was given or passed for Money, in stead and lieu of Tobacco, as already mentioned, that then and in such Case, the Plaintiff or Plaintiffs, shall be Nonsuit, and pay the Defendants Costs; and in Case any Plaintiff or Plaintiffs, shall refuse to submit to such Examination, such Refusal shall be deemed and taken to be a Confession, or Proof of the Fact.

[To prevent the Defendant from Injury, the Plaintiff may be sworn.]

p. 78

And be it likewise Enacted, That if any Plaintiff in any such Case, shall knowingly Swear or Affirm falsely, and be thereof convict, he, she, or they, shall suffer as in case of wilful and corrupt Perjury.

[Punishment for false swearing.]

Provided always, And it is the true Intent and Meaning of this Act, that nothing therein contained shall extend or be construed to extend, to vacate or abolish any Contract, Bargain, or Agreement, made for the Payment of Tobacco in Specie, before the said Sixteenth Day of May, Seventeen Hundred and Forty Seven; but that such Bargain, Contract, or Agreement, shall be and remain in full Force and Effect; any Thing in this Act contained to the contrary notwithstanding.

[Contract for Tobacco in Specie.]

And be it further Enacted, That all Bonds (with Power of Attorney to confess Judgment), taken for Money in lieu of Tobacco, between the Fifteenth Day of May, Seventeen Hundred and Forty Seven, and the First Day of December, Seventeen Hundred and Forty Eight, shall be and are hereby made void and of no Effect: And it shall not be lawful for any Justices of any Court within this Province, to render or give Judgment on such Bonds, by Virtue of such Power of Attorney; and no Clerk or Clerks of any Court or Courts,

[Judgment Bonds taken for Money in lieu of Tobacco.]

Liber H. S. within this Province, shall issue or make out any Execution, upon  
 No. I such Judgment. And that during the Continuance of this Act, no  
 Judgments shall be entered on any Judgment Bonds for Money,  
 taken after the Fifteenth Day of May, One Thousand Seven Hun-  
 dred and Forty Seven, until the Court, Judge, or Justice, before  
 whom a Judgment is or shall be offered to be entered up, be satisfied,  
 that the Defendant or Defendants, is or are actually run away, nor  
 even then, unless the Plaintiff or his Attorney in Fact, or one ac-  
 quainted with the Transaction, makes Oath, that the Bond was not  
 passed for a Tobacco Debt, contrary to the true Intent and Meaning  
 of this, or the aforesaid other recited Act.

p. 79 And, whereas the excessive Quantity of Tobacco made, may, in  
 [Encourage- some Measure, depreciate that Branch of Trade: In order therefore  
 ment for to encourage the manufacturing of Hemp, Flax, and other proper  
 Persons not Materials, for the necessary Cloathing and Use of his Majesty's  
 making Subjects within this Province, and to divert Part of the People  
 Tobacco;] from labouring in Tobacco; Be it Enacted, by the Authority, Advice  
 and Consent aforesaid, That from and after the end of this Session  
 of Assembly, it shall and may be lawful for any Person or Persons,  
 not making Tobacco by themselves, Servants or Slaves, within this  
 Province, to pay, at or before the Tenth Day of April yearly, or as  
 the Business, or Services, they may want in any of the Offices, shall  
 be done, during the Continuance of this Act, as well the Poll Tax  
 due to the Clergy, as all Lawyers, and Officers Fees, and Assess-  
 ments for building, or repairing Churches, in the Current Money of  
 this Province, rating Tobacco at Twelve Shillings and Six Pence per  
 [To pay off Hundred, and so in Proportion for a greater or lesser Quantity;  
 Taxes & and that such Payment, or Tender thereof, and Refusal, shall be a  
 Fees, 12 s. full Satisfaction and Discharge for the same, though charged in  
 6 d. per Tobacco; any Law, Statute, Usage, or Custom, or any Thing con-  
 Hundred.] tained in this Act to the contrary thereof in any wise notwith-  
 standing.

Provided always, That every Person or Persons allowed by this  
 Act to pay Money instead of Tobacco due as aforesaid, shall make  
 [To be sworn that they made no Tobacco for Sale.] Oath, or Affirmation if a Quaker, That he did not, in the Year  
 preceding, by himself, or by his Children, Servants, or Slaves, make  
 any Tobacco for Sale.

And be it Enacted, That where any Person or Persons within  
 [Inhabitants of this Province not making Tobacco in it.] this Province, shall have taxable Persons in different Counties, and  
 doth not by himself, or themselves, Children, Servants, or Slaves,  
 make Tobacco within this Province, That it shall and may be lawful  
 for such Person or Persons, to make Oath, to that Purpose, before  
 any Justice of the County where such Person or Persons shall reside,  
 and a Certificate, or Certificates of such Oath, from the said Justice,  
 shall be sufficient to any Sheriff, in a different County, to receive  
 Money in lieu of Tobacco, from such Person or Persons, for such  
 Taxables.



And whereas many Persons, not making Tobacco, have been, and may be, unable to pay the Poll-Tax due to the Clergy, and Lawyers, and Officers Fees, in the Current Money of this Province, by the Tenth Day of April yearly, and as it hath been, and may prove, a great Inconvenience and Oppression to such Persons, to be obliged to pay and discharge the Poll-Tax due to the Clergy, and Lawyers, and Officers Fees, in a Commodity which they frequently cannot procure, but by purchase from Sheriffs, and others, who taking Advantage of their Necessity, demand and exact exorbitant Prices for the same: For remedy whereof, Be it Enacted, by the Authority, Advice, and Consent aforesaid, That it shall not be lawful for any Sheriff, or other Officer, to take or demand of, or from, or execute, or cause to be executed, any Person or Persons not making Tobacco, by him or them, his or their Children, Servants or Slaves, or the Goods and Chattels of such Person or Persons, not making Tobacco as aforesaid, for the Poll-Tax due to the Clergy, Lawyers, or Officers Fees, Assessments for building or repairing Churches, or for Public or County Levies, in any other Manner than for Current Money of this Province, at the Rate of Twelve Shillings and Six Pence for every Hundred Pounds of Tobacco, and so in Proportion for a greater or lesser Quantity; notwithstanding that such Person or Persons, not making Tobacco, as aforesaid, shall fail in paying, before the Tenth Day of April yearly, the Poll-Tax due to the Clergy, Lawyers, or Officers Fees, Assessments for building or repairing Churches, the Public or County Levies, as by this Act is directed: any Thing herein contained, or any Law to the contrary notwithstanding.

Liber H. S.  
No. I

[In Case those who do not make Tobacco, cannot pay by the Tenth of April.]  
p. 80

[The Sheriff must not execute for more than at the Rate of 12 s. 6 d. per Hundred.]

Provided always, That such Person or Persons, not making Tobacco as aforesaid, shall make Oath, or Affirmation thereof if a Quaker, according to the Directions of this Act, and lodge a Certificate of such Oath or Affirmation, with the Sheriff of the County, at or before the Tenth Day of April yearly, the Party lodging such Certificate, taking a Copy thereof from the Sheriff, which he is hereby directed to give and attest, and which Copy, so attested by the Sheriff, shall be good Evidence to prove that the Party lodged such Certificate.

[Certificate of an Oath to be lodg'd with the Sheriff.]

And be it likewise Enacted, That in Case such Person or Persons, not making Tobacco as aforesaid, shall make Oath, or Affirmation thereof if a Quaker, and lodge a Certificate thereof with the Sheriff of the County as aforesaid, on or before the Tenth Day of April, as is before directed, and shall not pay, in Current Money of this Province, the Poll-Tax due to the Clergy, Lawyers, and Officers Fees. Assessments for building or repairing Churches, Public or County Levies, on or before the Tenth Day of June in every Year, during the Continuance of this Act, that then, and in such Case, the Sheriff or other Officer who shall be legally authorized to receive and collect the

[Sheriff's to execute after the 10<sup>th</sup> of June.]

Liber H. S. same, shall execute such Person or Persons, his, her, or their Goods,  
 No. I and Chattels, after the said Tenth Day of June, for such Poll-Tax,  
 p. 81 Assessments, Public or County Levies, in Current Money, at the Rate  
 of Twelve Shillings and Six Pence for every Hundred Pounds of  
 Tobacco, and so in Proportion for a greater or lesser Quantity.

And be it likewise Enacted, That it shall and may be lawful for  
 [Persons any Person or Persons making Tobacco, by themselves, his, her, or  
 making To- their Children, Servants or Slaves, to pay what Tobacco he, she, or  
 bacco may they shall make in any One Year, during the Continuance of this  
 pay Part in Money.] Act, towards the Discharge and Satisfaction of his, her, or their  
 several and respective Debts, due the same Year for the Poll-Tax to  
 the Clergy, and for Lawyers and Officers Fees, to be divided pro-  
 portionably between every such Creditor, and the remaining Part  
 of such Debts, to discharge and pay, in Current Money, at the Rate  
 of Twelve Shillings and Six Pence, for every Hundred Pounds of  
 Tobacco; any Thing in this Act, or any Law to the contrary  
 notwithstanding.

Provided always, That every such Person or Persons making  
 [To make Tobacco as aforesaid, before he, she, or they shall be received or  
 Oath that allowed to pay or discharge any Part of the Poll-Tax aforesaid,  
 they made Lawyers, or Officer Fees, in Current Money as aforesaid, do and shall  
 no more To- make Oath, or Affirmation if a Quaker, at or before the Tenth Day  
 bacco than of April, yearly, that he, she, or they, hath or have not, by him, her,  
 what they or them, his or their Children, Servants or Slaves, made any more  
 have paid, Tobacco than what he, she, or they, hath or have already paid towards  
 &c.] the Discharge and Satisfaction of the Poll-Tax due to the Clergy,  
 and Lawyers, and Officers Fees, except what he, she, or they, have  
 consumed, or shall consume, in his, her, or their Families, in such  
 Year. Provided also, That such Person or Persons not making  
 [Such To- Tobacco enough, as aforesaid, do pay the same, at or before the  
 bacco to be Fifth Day of April, yearly, and likewise pay and satisfy, on the  
 paid by the Tenth Day of June, yearly, in the Current Money of this Province,  
 5th of the Residue of the Poll-Tax due to the Clergy, Lawyers, and Officers  
 April.] Fees, which the Tobacco, he she, or they, shall so pay, shall be insuffi-  
 cient to discharge and satisfy.

And be it further Enacted, by the Authority aforesaid, That all  
 [Penalties the Penalties and Forfeitures in this Act mentioned, and not herein  
 and Forfei- before particularly appropriated, shall be recovered in the Name of  
 tures how to the Right Honourable the Lord Proprietary, One Moiety thereof to  
 be recovered be particularly applied towards defraying the Charge of the County  
 and applied.] where the Offence shall be committed, and the other Half to the  
 Person that will inform or sue for the same; and where the Penalty  
 [Prosecu- or Forfeiture exceeds Fifty Shillings, Current Money, or Six Hun-  
 tions to be dred Pounds of Tobacco, the same to be recovered in any Court of  
 in a year.] Record; and where the Penalty or Forfeiture does not exceed the  
 aforesaid Sums, to be recovered before One Magistrate, as in the

Case of small Debts. Provided always, That such Prosecutions be commenced within One Year after the Offence committed. Liber H. S. No. I

And be it further Enacted, by the Authority aforesaid, That no Officer or Officers, hereafter mentioned in this present Act, their Ministers, Servants or Deputies, by Reason or Colour of his or their Office or Offices, shall have, receive, or take, of any Person or Persons, directly or indirectly, any other or greater Fees which shall arise or become due, after the last Day of November, in the Year One Thousand Seven Hundred and Fifty Three, than by this Act are hereafter limited and allowed to the several Officers hereafter mentioned: That is to say;

To the Chancellor, or Keeper of the Great Seal.

Pounds of Tobacco.

For the Seal of an Original Writ,	4	
The Seal of a Recordari,	9	[Fees to the Chancellor.]
The Seal of a Subpœna ad respondendum, with 3 Names, or under,	12	
The Seal to a Proclamation of Rebellion,	270	
The Seal of a Commission of Rebellion,	270	
The Seal of a Grant or Patent of Land, for 500 Acres, or under,	90	
The Seal of every Patent or Grant for any Quantity above 500 Acres, for every hundred Acres,	9	
Seal of a Decree in Chancery, if required,	320	
Seal of an Injunction in Chancery,	180	
Seal of an Audita Querela,	90	
Seal to Execution of a Decree in Chancery,	120	
Seal of a Writ of Covenant for passing Fine,	12	
Seal of a Commission to take Acknowledgement,	90	
The Chancellor's Hand to a Writ of Assize,	180	
The Seal to a Writ of Error, to the Governor and Council as a Court of Appeals,	180	
Seal to a Scire Facias thereupon,	180	
Seal to a Supersedeas thereupon,	180	
Seal to a Certiorari,	180	
The Seal to an Exemplification of Land, the same with the Patent or Grant.		
The Chancellor's Hand to a Writ of Covenant,	180	
A Seal to a Mandamus,	90	
A Seal to a Melius inquirendum,	90	
The Seal of a Commission of a County or Provincial Court, with a Dedimus Potestatem to swear the Justices,	500	p. 83
Seal of a Superfedeas, to a Commission of Rebellion or Supplicavit,	180	
The Seal of a Sheriff's Patent for his Office,	360	
Seal of a Posse Comitatus,	90	

Liber H. S.		Pounds of Tobacco.
No. I	Seal of a Writ of Discharge (if any)	90
	Seal of a Patent of Denization,	320
[Fees to the	Seal of Ne exeat Provinciam,	90
Chancellor.]	Seal of a Writ of Error from any County Court,	90
	Seal of a Scire facias thereupon,	90
	Seal of Supersedeas thereupon,	90
	Seal of every other Matter or Thing that shall Pass the Great	
	Seal, and not herein contained, each,	90

## Secretary's Fees.

	Pounds of Tobacco.
A Recordari,	6
[Fees to the	A Subpœna and ad respondendum, with three Names, and
Secretary.]	Return,
	Every Name more than three,
	An Attachment of Contempt,
	A Proclamation of Rebellion,
	A Commission of Rebellion,
	An Injunction,
	A Writ of Sequestration, per side,
	An Audita Querela,
	Filing every Bill in Chancery,
	Every Court the same shall continue,
	Filing every Answer in Chancery,
	Every Oath to the same,
	Recording every Return of Commission and Depositions, per
	side,
	A Writ of Ad quod Damnum, per side,
	Passing Decree,
	Every Motion in Court, and Order thereon,
	A Ne exeat Provinciam,
	A Writ of Enquiry of Damages, per side,
	A Commission to take Acknowledgement,
	A Writ of Covenant to pass a Fine,
	A Writ of Assize,
	A Writ of Melius inquirendum, or Monstraverunt,
	Drawing any Instrument that passeth the Seal, if it exceed one
	side, computing seven Words to a Line, and fifteen Lines
	to a side; and so pro rato,
	For recording the same per side, as before,
	Entring any other Matter upon Record, if it exceed not half a
	side,
	If the Matter entered upon Record exceed half a side, then per
	side as before,
	Copying, the same per side with recording,

	Pounds of Tobacco.	Liber H. S. No. I
Any Warrant or License against or to more than one, not under Seal, each,	7	p. 84
Any Warrant or License against or to one Person only, not under the Seal,	7	
Any other Pass or Discharge, not under the Seal,	7	[Fees to the Secretary.]
Search of a Record the first year,	nothing.	
Every Search afterwards, be the Time of what length soever, if the Matter searched for be found,	15	
Writing a Sheriff's Commission, Bond, and recording it,	153	
Writ of Posse Comitatus,	76	
A Writ of Discharge, (if any),	76	
Writing and recording a Commission and Dedimus Protestatem, for every County Court,	211	
Issuing and Filing every common Writ and Return,	12	
Every Subpœna and Return,	20	
Filing and recording every Declaration, per side, accounting 15 Lines to a side, and 7 Words to a Line,	7	
A Copy of the same at the same Rate, not to be charged, unless required and delivered, per side,	7	
Every Appearance entered,	5	
Entry of an Imparlane,	4	
A Continuance, or Reference,	4	
Filing and recording Plea, if not special,	8	
Special Plea, per side, as before,	7	
Making up the Issue,	20	
Rule to plead, or for Tryal,	4	
A Venire facias for Jurors,	16	
A Copy of the Pannel,	4	
Entring Pannel,	4	
Entring every Verdict,	4	
Entring and signing Judgment,	25	
A Copy of the Judgment,	16	
A Transcript of the whole Proceedings per side, as before,	7	
Filing a Bill of Cost,	7	
A Copy thereof, if demanded and delivered,	7	
Issuing every Execution and filing the same and Return,	15	
Filing and recording every Demurrer, per side,	7	
Habere facias Possessionem,	16	
A Replevin,	12	
A Procedendo,	16	
A Writ of Restitution,	16	
Drawing Dedimus Protestatem, to examine Evidences,	32	p. 85
A Habeas Corpus,	22	
An Elegit,	22	
A Commission of Re-survey,	32	

Liber H. S. No. I	Pounds of Tobacco.
A Certiorari,	32
A Commission to Audita,	32
[Fees to the Secretary.] A Writ of Diminution,	16
A Writ of Error to the County Court,	57
A Scire facias thereupon,	16
A Supersedeas thereupon,	16
Entering an Acknowledgement of Land in Court.	5
Recording a Conveyance per side, as before,	7
Filing every Recognizance in Court,	12
Appearance of the Principal to every Recognizance,	7
Every special Bail,	7
An Attachment, and Scire facias,	26
Discharging every Recognizance, with or without Security,	12
A Copy of every Recognizance,	13
Every Venire facias, or Warrant to apprehend a Criminal,	16
Appearance to every Indictment, or Verdict,	7
Every Respite and Continuance,	15
Every Order in criminal Cases,	7
Every Indictment per side, as before,	7
A Copy of every Indictment per side	7
Filing Plea to the same,	8
Confession to every Indictment,	7
Allowance of a Writ of Error,	11
Every Indictment, after the first Name,	10
Rule of Tryal,	7
Recording the Verdict,	4
Entering Conviction, and signing Judgment,	25
A Writ of Execution thereupon,	36
A Writ of Withernam,	25
A Writ of Estrepment,	25
Scire facias on a Judgment, per side	7
Scire facias against special Bail, per side,	7
A Scire facias against Security for Cost on a Recognizance, per side,	7
Swearing every Jury,	46
Swearing every Bailiff,	4
Every other Oath in Court,	4
Duces Tecum per side, as before,	7
Affixing the Seal of the Court to the Copy of any Instrument, or to a Transcript of any Judgment, or any Record, or Certificate,	12
Taking Security on Condemnation on Attachments,	6
A Writ of Re-restitution, per side,	7
p. 86 Entering every Action agreed,	2
A Commission to examine Evidences, per side,	7

	Pounds of Tobacco.	Liber H. S. No. I
A Scire facias on a Certiorari, per side,	7	
A Scire facias on Audita Querela, per side,	7	
An Attachment on Non-compliance with the common Rule in Ejectment, per side,	7	[Fees of the Secretary.]
A Provincial Commission and Dedimus Potestatem, per Side,	7	
A Summons in Partition, per side,	7	
A Writ of Partition, per side,	7	
An Attachment in Partition, per side,	7	
A Habere facias Sesisnam, per side,	7	
A Returno habendo, per side,	7	
A Writ of Distringas, per side,	7	
A Commission of Oyer and Terminer, per Side,	7	
A Commission of Goal-Delivery, per side,	7	
A Dedimus Potestatem to swear the Judges of Assize, or Sheriff, per side,	7	
A Writ of Publication to the Laws	12	
Drawing a Protest and recording it, if not a special one,	102	
Drawing any other Matter, as Public Notary, attested under the Seal,	32	
If such Matter exceed one side, then per side,	7	
Drawing every special Protest, per side,	7	
And for every other Service, not herein mentioned, per side, and so pro rato,	7	

Commissary-General's Fees.

	Pounds of Tobacco.	
For every Entry of Demand for Administration, or Probate of Wills,	2	[Fees to the Commissary General.]
For every Order in Testamentary Causes,	7	
For every Letter of Administration, or Letters Testamentary,	54	
For every Bond,	25	
For every Oath,	7	
For a Warrant to Appraisers,	12	
For a Warrant to swear them,	12	
Every Commission to prove a Will, or pass Account, or take Administration,	54	
Dedimus Potestatem to take an Answer, per side,	7	
For recording Wills, Inventories, Accounts, or any other Matter; or copying the same out of the Commissary's Office; per side, computing 7 Words to a Line, and 15 Lines to a side,	7	
Filing Costs,	7	
Copy Costs,	7	
Recording Definitive Sentence, per side,	7	
Executing Definitive Sentence, per side,	7	

Liber H. S.	Pounds of Tobacco.
No. I	
Drawing Definitive Sentence, per side,	7
p. 87	
Seal to Definitive Sentence,	224
Seal to Execution of Definitive Sentence,	112
[Fees to the	
Commissary	
General.]	
Filing every Libel, Answer, Replication, Petition, &c.	19
Copy of every Libel, Answer, Replication, or Rejoinder, per side,	7
Drawing Depositions of Witnesses, per side,	7
Filing Interrogatories,	19
Every common Citation,	9
Every special Citation, per side,	7
Every Attachment,	25
Attachment on Decree, per side,	7
Subpoena for Costs,	10
Every Appearance,	7
Entry of every Return,	4
Quietus est,	nothing.
For a Continuance or Reference,	4
For a Search of a Record the first Year,	nothing.
Every Search afterwards, be the Time of what Length soever, if the Matter sought for be found,	15
Exemplification of Letters Testamentary, or Administration under Seal,	38
Commission or Proclamation of Rebellion,	64
Commission to examine Evidences, and Commission to Auditors,	25
Scire facias,	25
Duces tecum,	32
Entring every Motion in Court, and Order thereon,	5
If above one Side, after the Rate of, per side,	7
For transmitting Ballance and Order,	11
For transmitting Sureties Names and Order,	11
For transmitting Distribution and Order, per side,	7
Entry of Prayer for Appeal,	4
Letters De Bonis non, per side,	7
And for every other Service not herein mentioned; per side; and so pro rato,	7

To the Judge or Register of the Land-Office.

[Fees to the Judge or Register of the Land- Office.]	Pounds of Tobacco.
For a common Warrant and Entry,	33
For renewing the same, and Entry,	33
For recording Certificates, per side, computing 105 Words to a side,	9
For making out a Grant,	90
For recording the same,	67



	Pounds of Tobacco.	Liber H. S. No. I
For every Petition, and Order thereon,	150	
For a special Warrant, including Petition, and Order thereon,	375	[Fees to the
For renewing every special Warrant,	75	Judge or
For every Deed or Assignment,	24	Register of
For Hearing, and Sentence thereon,	75	the Land- Office.]
For searching any Matter or Thing, the first Year,	nothing.	p. 88
For all Searches above one Year, the Time of what Length soever, if the Matter searched for be found,	15	
For all Copies per side, computed as before,	9	
For every other Service not herein mentioned, per side, and so pro rato.	9	

To the Clerks of the County Courts.

	Pounds of Tobacco.	
Issuing a Writ and filing the same and Return,	9	
Every Declaration, if a side, and so pro rato,	4½	[Fees to the
A Copy of the same, if demanded, as before.		Clerks of the County Courts.]
Entering every Appearance, in any Suit, until Judgment or Discontinuance of such Suit,	4	
Every Imparlance,	2	
Filing every Plea and Demurrer, if not a special one,	3	
If a Side or more, pro rato; if a Copy delivered, pro rato.		
Entering any Matter upon Record, if half a side,	2	
If more, then pro rato, as before,	4½	
A Subpœna,	6	
Rule to plead, or Tryal,	2	
For making up the Issue,	6	
Entering Judgment,	9	
Signing Judgment,	5	
A Venire facias, for a Jury,	6	
Entering the Pannel,	2	
Filing Bill of Cost,	5	
Copy of the same, with the Articles at large, if delivered,	5	
Issuing Execution and filing the same and Return,	9	
For special Bail,	3	
A Writ of Enquiry of Damages, at per side, and so pro rato,	4½	
For entering an Appeal,	4	
A Return of a Certiorari, and Copy of the Record, per side,	4½	
Entering a Writ of Error,	4	
Every Oath,	3	
Proving a Deed or Writing,	4	
A Copy of the same, if required, per side,	4½	

Liber H. S. No. I	Pounds of Tobacco.	
[Fees to the Clerks of the County Courts.]  p. 89	For entring every Capias ad respondendum in Cases where Bail or Security for Cost is ruled, upon Return of such Writ; or where a Declaration is sent with such Writ, and a Capi returned thereon by the Sheriff, or short Notes sent and Judgment given for Attachment, or where the Sheriff is amerced for not bringing in the Defendant; but in no other Case; per side,	4½
	For entring Capias ad satisfaciendum, where the Sheriff or Coroner, upon Return of the Writ is called to bring in the Defendant, and his Default is entered; or where the Defendant is committed in Execution; but in no other Case; per side,	4½
	For entring Fieri facias, where the same is executed and Schedule returned, but in no other Case, per side,	4½
	The same Fee in Elegits,	4½
	Recording the Mark of Cattle or Hogs,	3
	Taking and certifying Acknowledgement of Land in Court,	5
	Recording a Conveyance of Land, per side,	4½
	Allowance of Habeas Corpus,	4
	For all Searches the first Year,	nothing.
	For all Searches above one Year, be the Time of what Length soever, if the Matter searched for is found,	10
	Every Scire facias at, per side, and so pro rato,	4½
	Attachment and Scire facias,	18
	Short Copy Judgment,	9
	Habeas Corpus, and filing the same,	8
	Elegit, and filing the same,	8
	Taking and recording Bonds for Orphans Estates,	16
	Duces tecum,	8
	Taking Security on Condemnation,	3
	Entring Action agreed, struck off, or abated,	2
	Commission to examine Evidences at, per side, and so pro rato, Criminal Fees.	4½
	For taking every Recognizance, (with or without Security),	8
	Discharging of Recognizance, with or without Security,	8
	Issuing a Venire facias, or Warrant, and filing the same,	9
	For every Appearance of the Person charged,	5
	Every Respite and Continuance,	5
	For every Order,	4
	A Copy of Recognizance, with or without Security,	7
	For every Indictment, per side,	5
	A Copy of the Pannel,	2
	For recording the Verdict and Appearance thereto,	9
	Entring the Judgment,	14
	Issuing Execution of the Judgment, and filing or recording the same,	12

	Pounds of Tobacco.	Liber H. S. No. 1
A Copy of the Indictment, per side,	5	
Entering a Plea,	5	
Confession of Indictment,	5	[Fees to the Clerks of the County Courts.]
Chancery Proceedings in County Courts.		
Entering Motion and Order,	4	
Entering and signing Decree,	14	
Filing Costs,	5	
Copy Costs, with Articles at large, if delivered,	5	
Affixing the Seal to any Transcript or Certificate,	5	
And for every other Service not herein mentioned, per side, and so pro rato,	4½	

And be it Enacted, That the several County Justices, in their respective Counties, at the Time of assessing the County Levy, shall, and they are hereby impowered and directed to allow the Clerk of each respective County, the Sum of Two Thousand Pounds of Tobacco yearly, in their County Levies, in lieu of, and for full Satisfaction for Warrants to the Overseers of the Highways, Constables Warrants, taking and making Indentures of Orphans, assisting in laying and for apportioning the County Levy, and all other Services to be done for their respective Counties, and by Order of the Justices for the Time being; and all the respective County Clerks within this Province for the Time being shall, and they are hereby obliged to do all the said Services, and such others, for the Use of the respective Counties, as shall be required by the Justices of the Peace of each respective County, from Time to Time, and at all Times hereafter, for and in Consideration of the Allowance aforesaid.

[Allowance  
to the  
County  
Clerks for  
laying the  
Levies &  
other  
Duties.]

To the Sheriff.

	Pounds of Tobacco.	
Serving Writ and taking Bail Bond,	26	
Collecting the Public and County Dues, for every hundred,	6	
Collecting Officers Fees, for every hundred,	6	[Fees to the Sheriffs.]
For every Commitment and Releasement.	30	
Impannelling a Jury,	90	
Serving Scire facias, including the Person summoned,	22	
Serving Citation,	22	
Executing a Commission of Resurvey, per Day.	75	
Impannelling a Jury,	180	
Summoning Evidences to prove the Bounds of Land, for each Person summoned,	22	p. 91
If impowered to swear Jury and Evidences, for every Oath,	9	
Every Non est inventus returned,	7	
Serving a Subpœna,	22	

Liber H. S. No. 1	Pounds of Tobacco.
For keeping a Prisoner in Custody, and finding him Victuals, during the first Month's Imprisonment, per Day,	15
[Fees to the Sheriff.] For every Day's Imprisonment and Victualling after the first Month, per Day,	7
Serving a Writ of Possession,	112
Serving an Ejectment,	75
For electing Burgesses, if a whole Election, and so pro rato, for one or more,	1125
Serving at Attachment of Contempt,	37
Serving Writ of Estreptment,	75
Serving Ne exeat Provinciam,	90
Serving a Copy of Declaration, or short Note,	4
Summoning Appraisers to value Goods taken by an Attachment, or Fieri facias for each Appraiser summoned,	22
Swearing the said Appraisers, every Oath,	9
Serving an Attachment or Execution,	7
And if any Execution be for above One Hundred, and under Five Hundred Pounds of Tobacco,	37
If it exceed Five Hundred Pounds of Tobacco, then,	75
If it exceed One Thousand, then for the first Thousand,	75
And for every Thousand after the first,	37
Executing a Writ of Ad quod Damnum, or melius inquirendum, per Day,	75
Impannelling a Jury on the same,	180
Swearing the said Jury, for every Oath,	9
Taking an Inquisition, and returning the same with the said Writ,	75
Summoning Appraisers to value the Goods taken by a Replevin, for each Person summoned,	22
Swearing the said Appraisers, every Oath,	9
Serving a Writ of Re-restitution,	112
Impannelling a Jury to enquire of a forcible Entry or Detainer,	180
If impowered to swear the same, for every Oath,	9
For each Person summoned as an Evidence on the same,	22
For swearing the said Evidences, every Oath,	9
p. 92 For summoning Chain-Carriers on any Occasion where required, each Person summoned,	22
For swearing the same, every Oath,	9
For an Arrest on a Warrant,	26
For serving Duces tecum,	26
Return on an Attachment,	7
For laying an Attachment in any Garnishee's Hands, for each Garnishee,	22
That for all Goods and Chattels which any Sheriff shall attach, and take into his Possession, or wherewith he shall	

	Pounds of Tobacco.	Liber H. S. No. I
be chargeable, and which shall be condemned, the same Fees allowed as on Executions.		
Returning Fieri facias, or Replevin, each,	7	[Fees to the Sheriff.]
Then the same Fees allowed as upon Attachments, the same Fees allowed upon any Distress made for Rents, if the Goods distrained are appraised and sold.		
Returning Writ Returno habendo,	75	
The same Fees allowed upon this as upon Executions or Attachments.		
Returning Writ of Distringas,	75	
The same Fees allowed upon this as upon Executions or Attachment.		
For Return of an Elegit, Extent, or Writ of Liberate,	75	
Impannelling Jury on the same,	180	
For swearing the same, each,	9	
The same Fees as allowed upon Attachments.		
Serving Writ of Restitution,	112	
Summons in Partition, every Person summoned,	22	
Serving Writ of Partition,	75	
Impanelling Jury thereon,	180	
Swearing the Jury, each,	9	
Attendance per Day,	75	
Serving Attachment in Partition,	37	
Returning Writ Inquiry of Damages,	75	
Impanelling Jury thereon,	180	
Swearing the same, each,	9	
Attendance per Day,	75	
Proclamation of Rebellion,	90	
Serving Copy of Account, if not sent with the Declaration,	4	
Serving Withernam,	75	
And the same Fees allowed as upon Replevins.		
Attendance per Day, when required on any Occasion,	75	p. 93
And if any Execution be for Money, then the Sheriff to have at the Rate of Seven per Centum for the first Five Pounds, and Three per Centum for the Residue, in the same Specie the Execution is issued for.		

## To the Surveyor-General, and his Deputies.

	Pounds of Tobacco.	
For the Survey of one hundred Acres of Land, or under per Acre,	$\frac{3}{4}$ ths	[Fees to the Surveyor General and his Deputies.]
Any Quantity above on hundred Acres, and under two hundred,	$\frac{3}{8}$ ths	
If between two hundred Acres and five hundred Acres, then for the first two hundred as before, and for all above one hundred Acres,	$\frac{3}{16}$ ths	

Liber H. S.		Pounds of Tobacco.
No. I	Five hundred Acres, as before, and for all above, per hundred Acres,	7
[Fees to the Surveyor General and his Deputies.]	For every Plat, allowing three Plats for every Survey; that is to say, one to the Party, one to the Examiner-General, and the other to be entred upon the Surveyor's Book, for the first hundred Acres, or under,	7
	For all above the first hundred Acres, per hundred,	3
	For Journey Fees, if the same be distant from the Surveyor's House twenty Miles or under,	30
	If above twenty Miles, and under forty,	60
	If above forty Miles, and under sixty,	90
	And so pro rato.	
	For every Certificate of Survey, be the Quantity more or less,	3
	For the Resurvey of one hundred and forty Acres of Land, or under, made with a Circumferentor, Chain, and other necessary Instruments,	300
	For Resurvey of any Quantity of Land above one hundred and forty Acres, the same Fees that are allowed upon primitive Surveys, computing the said one hundred and forty Acres as Part of the Survey.	

## To the Judge of the Admiralty Court.

		Pounds of Tobacco.
	For every Sentence, or Condemnation Fee,	150
[Fees to the Judge of the Admiralty Court.]	For attesting all Depositions,	22
	For every Stipulation made before him,	90
	For every Day's Attendance,	187

## To the Register of the Admiralty Court.

		Pounds of Tobacco.
[Fees to the Register of the same.]	For filing and recording every Libel, Petition, Answer, Depositions, or any other Matter, computing one hundred and five Words to a side, and so pro rato per side,	8
	For every other Matter entred in the Minutes, or on Record, per side,	8
	For every Copy Libel, Petition, Answer, Depositions, or any other Matter, per side,	8
	For every Writ under Seal, per side,	8
	Filing Bill of Cost,	9
	p. 94 For Copy Bill of Cost,	9
	For entring and signing Decree, or Judgment,	30
	For swearing every Evidence in Court,	4
	For Issue and Rule,	24
	For drawing every Deposition, per side,	8
And for every other Service not herein mentioned, per side, and so pro rato,		8

## To the Marshal of the Admiralty Court.

## Pounds of Tobacco.

Liber H. S.  
No. I

For serving every Writ for seizing a Vessel,	26	[Fees to the Marshal of the same.]
For serving every Writ against the Commander,	26	
For Subpœna, every Witness,	22	
For every Non est inventus, on Writ, or Subpœna,	7	
For swearing every Evidence in Court,	9	
For Subpœna Appraisers,	45	
For every Proclamation,	15	
For serving every Writ of Attachment,	26	
For every Vessel acquitted,	60	
For any other extraordinary Service, when obliged to travel from home, at the Rate of per Mile, besides Ferriages and necessary Expences, to be allowed by the Judge; on Proof being made thereof,	2	

## To the Examiner-General.

## Pounds of Tobacco.

For examining every Certificate of one hundred Acres, or under,	45	[Fees to the Examiner- General.]
From one hundred Acres to two hundred Acres,	52	
From two hundred Acres to three hundred Acres,	60	
For every hundred Acres above three hundred Acres,	3	
In the same Manner for every Tract in a Resurvey for the Vacancy if any be added, and for the whole when reduced into one Tract.		

## To the Clerk of the Court of Appeals.

## Pounds of Tobacco.

Recording every Writ of Error, Scire facias, and Return, per Side, computing one hundred and five Words to a side; the like for recording a Transcript; the like Fees for re- cording of Errors, per side,	9	[Fees to the Clerk of Court of Appeals.]
Enttring and signing Judgment,	47	
Filing a Bill of Cost,	7	
Copy of the same,	7	
Filing Bill of Cost from the Provincial, Chancery, or any other Court,	7	
Writ of Diminution,	21	
Writ of Possession, or any other Execution,	20	
Enttring any Motion or Order, filing or recording any Bond in Court, enttring any Petition, enttring and drawing any Affi- davit or Deposition taken or re-turned into Court, Copy Errors, recording Proceedings transmitted from the Chan- cery Court, or Copy the same, filing any Plea, Replication or Demurrer, or Copy the same in Common Law Pro- ceedings, Entry any Reference in Court and Copy the		p.95

Liber H. S. No. 1	Pounds of Tobacco.
	same, or copying any other Proceedings, per side, and so pro rato, 9
[Fees to the Clerk of Court of Appeals.]	Issue and Rule, 24
	Affixing the Seal of the Court to any Copy of Proceedings or Exemplification, 131
	And for all other Services, the same Fees as taken in the Secretary's Office.

The Clerk of every Court of Delegates, to have the same Fees that are allowed and limited by this Act to the Clerk of the Court of Appeals, and no more.

To the Clerk of the Council.

	Pounds of Tobacco.
[Fees to the Clerk of the Council.]	Every Petition in Council and Order in Favour of the Party, 150
	Any Commission or other Instrument, prepared by the said Clerk to pass the Broad Seal, if for a Place of Profit, 150
	Recording the same, 150
	Every Sheriff's Commission, 300
	Every Coroner's Ranger's, Surveyor's Commission, or other Commission of Profit, 150
	Recording any Matter in Council, per side, for any private Person, computing one hundred and five Words to a side, 9
	Copy of any Matter or Thing from the Council Records, per side, 9
	All Searches, to the Clerk of the Council the same Fees as are allowed to the Secretary, 15

# Cryer's Fees in the Provincial Court.

	Pounds of Tobacco.
[Fees to the Cryer of Provincial Court.]	Swearing every Jury, 108
	Swearing every Witness, 9
	Swearing the Bailiff, 9
	Every special Bail, 54
	Every good Behaviour, 54
	Clearing every Prisoner by Proclamation, if required, 60
	Acquittal of every Prisoner, 60
	Every Appeal from the County Court, 37
	Every Writ of Error returned from the County Court, 37

# Coroner's Fees.

	Pounds of Tobacco.
[Fees to the Coroner.]	Viewing the Body of any Person or Persons murdered or slain, or otherwise dead by Misadventure, to be paid out of the Goods and Chattels of the Party so dead, if any there be; otherwise to be levied by the Commissioners of the County where such Accident shall happen, 187



	Pounds of Tobacco.	Liber H. S. No. I
Arresting or summoning any Sheriff sued or prosecuted in any Court, and for taking Security,	30	
Arresting, summoning, or attaching any other Person or Persons, wherein the Sheriff is Plaintiff, such Fees as are allowed to be taken by the Sheriff in such Case, and no more.		[Fees to the Coroner.] p. 96

Cryer's Fees in the County Court.

	Pounds of Tobacco.	
Swearing every Jury,	36	
Swearing every Bailiff,	4	[Fees to the Cryer of the County Courts.]
Every Oath,	3	
For special Bail,	20	
For Good Behaviour,	20	
Clearing every Prisoner by Proclamation or Acquittal,	30	

And whereas, for Want of an Enlargement of the Jurisdiction of the several Deputy-Commissaries within this Province, and their being enabled to pass Accounts, where the Amount of the Estate exceeds the Sum of Fifty Pounds Current Money, many of the Inhabitants are put to great Inconveniences and Expence, either by being obliged to repair to the Commissary-General for the passing of such Accounts where the Estate as aforesaid exceeds the Sum of Fifty Pounds Current Money, or for obtaining special Commissions from the Commissary-General, directed to the several Deputy-Commissaries, enabling them so to do: For Prevention of which Evil,

Be it Enacted, That the Deputy-Commissaries within this Province, in their respective Counties, shall be, and by Virtue of this Act they are hereby authorized and empowered to pass any Accounts of the Estates of deceased Persons, without any special Commission from the Commissary-General, where the Amount of the Inventory of such Deceased's Estate does not exceed the Sum of One Hundred and Fifty Pounds Current Money.

And whereas Pauper Estates, by former Laws of this Province, do not exceed Ten Pounds Current Money; Be it also Enacted, That during the Continuance of this Act, all Estates not exceeding Thirty Pounds Current Money, shall be deemed Pauper Estates; and that in such Case, there shall be no larger or other Fees taken by any Deputy Commissary, than is by a former Act settled as to Pauper Estates not exceeding Ten Pounds, nor any Fees at all by the Commissary-General.

And to prevent the Clerks and Registers of the several Courts within this Province from multiplying Fees, by entring unnecessary Motions, Petitions, and Orders; Be it Enacted, That in all Cases civil and criminal, wherever any Motions are made, or Petitions tendered for any Order, no Entry shall be made of them, nor any Charge either for Motion, Petition, or Order, unless it shall be particularly required

Liber H. S. by some Party to the Matter, over and above the Sum allowed by this  
 No. I Act to be charged; and that then and in such Case only, the Party at whose Request such Entry of Motion, Petition, or Order, shall be made, shall be charged therewith, and be liable therefore, in such Manner as is by this Act directed; and that the adverse Party shall not be liable for the Cost of such Entry of Motion, Petition, or Order, over and above the Sum allowed by this Act to be charged.

[Penalty on Officers charging greater Fees, than allowed by this Act.] And be it further Enacted, That no Officer or Officers, their Clerks, Ministers or Servants, in this Act mentioned, shall charge any other or larger Fees than by this Act is limited and appointed, under any Pretence whatsoever, nor under any other Denomination than mentioned in this Act, unless the Consent and Approbation of the General Assembly of this Province be first had and obtained. And if any Officer or Officers, their Servants, Ministers, or Clerks, shall demand and take any other or larger Fee or Fees, than is herein before mentioned, that then and in such Case, they forfeit and pay to the Party or Parties, from whom they shall demand and take such extraordinary Fee or Fees, not only the Fee or Fees so charged or taken, but also the Sum of Five Thousand Pounds of Tobacco, to be recovered in any Court of Record within this Province, by Action of Debt, Action on the Case, Indictment, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Impar lance, shall be allowed. And in Case the Party grieved doth not prosecute the Officer so offending, within Six Months from the Time of such Offence committed, that then and in such Case, any other Person may prosecute for the same.

[Officers to be sworn.] And be it further Enacted, That all Officers mentioned in this Act, who shall enjoy any the Offices aforesaid, shall on or before the last Day of March, which shall be in the Year Seventeen Hundred and Fifty Four, take the following Oath, before some Provincial or County Magistrate, who is hereby authorized and required to administer the same, viz. You A. B. do swear, that you will well, faithfully, and impartially, to the best of your Skill and Knowledge, execute your Office; and that you will not willingly or wittingly charge, ask, take, exact or demand, any other or larger Fees, for doing your Duty in  
 [The Oath.] your Office, than is mentioned in the Act entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, now in Force. And as often as any Person or Persons shall be appointed for said Office or Offices, they shall take the said Oath, prior to their receiving any of the Profits of any such Office or Offices.

[Fees to be charged at length.] And be it further Enacted, That Accounts of all Officers Fees in this Act mentioned, shall be made out and drawn in a fair and clear Manner, and in Words at length; and whenever any Person or Persons interested in them, or to whom the same shall be charged, shall desire a Copy of such Account, the several Officers shall, and are hereby required to give such Person so applying therefore, in as

short a Time as may be convenient, an Account of such Charge in Words at length. And that all Under-Clerks and Deputies, writing in any the Offices aforesaid, or doing Service in them, shall by the Time aforesaid, or before they enter into any of the Services aforesaid, before some Provincial or County Magistrate who is hereby authorized and required to administer the same), take the following Oath, under the Penalty of Five Thousand Pounds of Tobacco for every such Refusal or Neglect, to be recovered in any Court of Record within this Province, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, shall be allowed, nor more than one Imparlance; the one Half to the Informer, or him or them that will sue for the same, and the other Half to the Use of the County where such Neglect or Refusal shall happen, towards defraying the Charge of carrying this Act into Execution, viz. You A. B. do swear, that you will not, for Lucre or Malice, delay any Person or Persons applying to you for any Business belonging to the Office you officiate in; and that you will not, directly or indirectly, ask, demand, take, or receive from, or charge to, any such Person or Persons, to your own Use except (your Salary from your Principal), any Fee or Reward whatsoever, for any Service you shall do as Clerk of the said Office: And also that in making out the Office Fees, you will not wittingly or willingly charge other or higher Fees, than limited by the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for Limitation of Officers Fees.

Liber H. S.  
No. I

[Under-Clerks to be sworn.]

[Penalty for refusing to swear.]

[The Oath.]

Which said Oaths beforementioned, shall be severally returned by the Magistrate before whom the same shall be taken, to the Provincial or County Offices, as the Case shall require, and be there entered on Record. And that all and every Person or Persons, claiming Right to any Fee or Fees, allowed by this Act, shall be obliged to set up and affix in the most public Place of his Office, a Table of Fees, to the Intent that all Persons concerned may have Recourse to the same.

p. 99

[Oath to be recorded.]

[Table of Fees to be set up.]

And be it further Enacted. That no Officer or Officers herein beforementioned, under the Penalty aforesaid, to be recovered as aforesaid, shall make or send out their Fees on Execution but once in every Year, and that between the First Day of December, and the Tenth Day of January yearly, during the Continuance of this Act. And that the Party or Parties charged, their Persons, Goods, or Chattetls, shall not be executed for any of the aforesaid Fees, unless their Accounts be delivered them at or before the last Day of February, in any Year they shall be demanded.

[Time of sending out Fees on Execution.]

[Accounts to be delivered before the last of February.]

And be it further Enacted, That wherever and Deputy-Surveyor returns a Certificate or Certificates, for the Examination of the Examiner-General, and that the same shall be found erroneous, that in such Case, the Party for whose Use such Survey is made, shall not be burthened with double Fees, either by the Examiner-General

[Erroneous Returns made by Surveyors, the Extra Fees how paid.]

Liber H. S. or Deputy-Surveyor; but that the several Deputy-Surveyors shall  
 No. I pay the Examiner-General for any extraordinary Trouble they give him in re-examining, such Fees as by this Act is allowed to the Examiner-General.

And be it further Enacted, That the several Inspectors shall be,  
 [Tobacco to and are hereby obliged, whenever they shall have inspected a Hogs-  
 be cased and head or Hogsheds of Tobacco, to case and nail up the same in good  
 nail'd, as Order, and according to the true Intent and Meaning of this Act  
 soon as inspected.] immediately after inspecting the same.

And be it likewise Enacted, That it shall and may be lawful for  
 [Persons any the Sheriffs within this Province, and they are hereby directed  
 suspected of and required at any Time, between the last Day of February, and the  
 withdrawing themselves, or Tenth Day of June next following, on Notice being to them re-  
 Effects, may spectively given, that any or either of the Inhabitants of the re-  
 be exempted, spective Counties, who is indebted to them respectively, as aforesaid  
 in Case, (for which an Account hath been before the said last Day of Feb-  
 Etc.) ruary delivered to, or left at the Dwelling-House of the said Party),  
 p. 100 that the said Party is about to withdraw himself, or his Effects,  
 from the Place of his or her Residence, whereby the said Sheriff  
 may be hindered from executing the same according to Law, that  
 then and in such Case, it shall and may be lawful for the said Sheriff  
 to apply himself to any Magistrate of the County, and on such  
 Sheriff's Application to, and on Oath made by the said Sheriff, or  
 some other credible Person, before the said Magistrate, that the  
 Sheriff or such Person, is informed and verily believes, that such  
 Debtor is about to withdraw, or hath withdrawn, him or herself,  
 or his or her Effects, out of the said County, and thereby prevent  
 the said Sheriff from Executing such Debtor or his or her Effects,  
 for the Tobacco or Money, so as aforesaid due to him; which Oath  
 shall be made in Writing, and left with the said Magistrate, and by  
 him returned to the next County Court; and the said Magistrate  
 shall then give the said Sheriff a Warrant from under his Hand  
 and Seal, and thereby direct and impower the said Sheriff to levy  
 the Tobacco or Money, so as aforesaid due to him, in the same  
 Manner as he might do by this Act, after the Tenth Day of June;  
 all which the said Sheriff shall do by Virtue of his Office, without  
 any Execution Fee. Provided nevertheless, and it is the true Intent  
 and Meaning of this Act, that if any Debtor, as aforesaid, abscond-  
 ing or about to abscond, will give such Sheriff good and sufficient  
 [But not to any Execution Fee. Provided nevertheless, and it is the true Intent  
 be executed if they give good Security.] Security, for the Payment of all such Public or County Levies,  
 Parochial Charges, Officers or Lawyers Fees, at any Time before  
 such Distress and Sale made, that then and in such Case, the Sheriff  
 shall, and is hereby obliged to take the same.

And be it further Enacted, That it shall not be lawful for any the  
 [Inspectors not to pass said Inspector or Inspectors to inspect or pass any Hogshhead or Par-  
 any Tobacco, cel of Tobacco, at any Time between the Twentieth Day of August,  
 between the and the First Day of November yearly, unless such Hogshhead or  
 20<sup>th</sup> of Au- Parcel of Tobacco be brought to, and left at, the said Inspection  
 gust, and 1<sup>st</sup> of November, unless, &c.] House, on or before the said Twentieth Day of August yearly, and

that if any Inspector or Inspectors, shall presume to inspect or pass any Hogshead, or Parcel of Tobacco, between the said Twentieth Day of August, and the First Day of November yearly, he or they so offending, shall forfeit and pay Twenty Shillings Current Money, for every Hundred Pounds of Tobacco so by him or them inspected, to be recovered, if the same does not exceed the Sum of Ten Pounds Current Money, before any Magistrate in the County where the Offence shall be committed, as in Case of small Debts; and if the Penalty exceeds the said Sum of Ten Pounds, then to be recovered in the Court of the said County, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, shall be allowed; the One Half of all which Penalties shall be applied to the Use of the Informer, or such Person who shall sue for the same, and the other Half thereof to the several and respective Counties, to defray the Expence that may accrue in the due Execution of this Act.

Liber H. S.  
No. 1

p. 101

[Penalty,  
and how re-  
covered.]

And be it likewise Enacted, That where Plaintiff or Defendant in any Suit now commenced, or that shall hereafter be commenced, in any Court within this Province, in whose Favour any Judgment shall be given, so as to intitle such Plaintiff or Defendant to his or her Cost, and who shall pay the said Cost in Current Money of this Province, as regulated by this Act, in all such Cases it shall and may be lawful for the Party against whom such Judgment shall be rendered, and he, or she, is hereby enabled to discharge all, or so much of the said Cost, in Current Money as aforesaid, at the Rate of Twelve Shillings and Six Pence per Centum as shall be really and bona fide paid, by the Party in whose Favour such Judgment for Cost shall be given; any Law to the contrary in any wise notwithstanding.

[Judgments  
recovered  
may be paid  
at 12 s 6 d.  
per Cent, if  
paid in  
Money.]

And be it further Enacted, That from and after the Eleventh Day of December next, Jonas Green, of the City of Annapolis, Printer, shall be allowed, by the several and respective County Courts, at the laying their County Levy, the Sum of Forty Shillings Current Money, per Annum, for each Inspection respectively, for printing and delivering a sufficient Number of Books, Notes, and Manifests, for the Inspectors of each Inspection, within their Counties respectively.

[Allowance  
to the  
Printer for  
Books and  
Notes, 40 s.  
for each  
Inspection.]

And be it further Enacted, by the Authority, Advice, and Consent, aforesaid, That the several Justices of the County Courts within this Province, shall, as their respective Courts to be held for the Month of March next, enquire who are the Proprietors or Owners of the several Warehouses, within their respective Counties, which were established in Virtue of the Laws now in being, for inspecting Tobacco, and are hereby continued to be Warehouses for the Inspection of Tobacco, and shall cause such Owners and Proprietors respectively, to enter into Bond, in the Penalty of Two Hundred

[Justices to  
enquire who  
are Owners  
of Ware-  
houses:]

Liber H. S. Pounds Current Money, with Condition, for the keeping in Repair  
 No. I such their Warehouses, Wharffs, Cranes, and Prizes, during the  
 Continuance of this Act; and if the Owner or Proprietor, of any  
 [To oblige Warehouse or Warehouses, established by this Act, shall neglect or  
 Owners to give Bond to keep them in Repair, and the Prizes, &c.] refuse to enter into such Bond, or to keep such their Warehouses,  
 Wharffs, Cranes, and Prizes, in Repair, the said Justices respec-  
 tively, shall cause all necessary Repairs to be made, at the Charge of  
 the County, and shall receive such Part of the Nine Pence per Hogs-  
 head as aforesaid, as will reimburse the County the Money expended  
 in such Repairs; any Thing herein before contained to the contrary  
 notwithstanding.

And whereas there is not any Provision yet made for the deliver-  
 ing out of the Tobacco already inspected, or which may hereafter be  
 inspected, in Virtue of the Laws now in being for the inspecting  
 [Tobacco inspected by former Laws.] of Tobacco, and which shall remain in the Warehouses after the  
 Execution of the said Laws; Be it hereby Enacted, That the In-  
 spectors of the several Warehouses, so established, wherein any  
 Tobacco shall remain after the Expiration of the said Laws, (whether  
 the same Houses be continued by this Act or not), or one of them  
 respectively, shall and may deliver out such Tobacco for Exportation,  
 after the Expiration of the said Laws, and that such Inspector and  
 Inspectors, and all and every Master and Skipper of any Vessel, and  
 other Person or Persons who shall be employed in the Transportation  
 of such Tobacco, from the Warehouses, on board of any Ship or  
 other Vessel for Exportation, shall be under the same Regulations,  
 Restrictions, and Penalties, with respect to such Tobacco, as if the  
 same Tobacco had been inspected in Virtue of this Act, the Expira-  
 tion of the said Laws notwithstanding.

And be it Enacted by the Authority, Advice, and Consent afore-  
 said, That in all Money-Payments, which shall or may be made,  
 under or by Direction of this Act, the following Species of Coin  
 [Money-Payments may be made in Gold or Silver:] (if offered or tendered), shall be accepted and received at the follow-  
 ing Rates or Values (viz).

	£.	s.	d.
English Guineas, at	1	14	0
[The Rate at which they are to pass.] French Guineas,	1	13	6
Moidores,	2	3	6
Jonhannes's,	5	15	0
Half Johannes's,	2	17	6
French milled Pistoles,	1	6	6
Spanish Pistoles not lighter than 4 dwt. 6 gr.	1	7	0
p. 103 Arabian Chequins,	0	13	6
Other Gold Coin (German excepted), per dwt.	0	6	3
French Silver Crowns,	0	7	6
Spanish milled Pieces of Eight,	0	7	6
Other good coined Spanish Silver, per Ounce,	0	8	6

Provided always, That no Sheriff shall be allowed to pay off any Person or Persons, to whose Use he shall or may receive or collect any Sum or Sums of Money, with any of the aforesaid Species of Coin, unless such Sheriff shall have First bona fide received the same, from the Person or Persons who shall pay such Sum or Sums of Money, and deliver to the Person or Persons, to whose Use they shall, so as aforesaid, receive the same, if required, a particular List of the Species aforesaid, by them received, to his or their Use, and of the Persons Names who shall pay the same, and shall set up at every August Court, at some public Place in the Court-House in each County, a particular List distinguishing thereby the Sum of Paper Money, and the Species aforesaid of Gold and Silver, he shall receive in Payment or Discharge of the Public and County Levies.

Liber H. S.  
No. 1

[Sheriffs to  
Account for  
the particu-  
lar Special.]

[To set up  
Lists at Au-  
gust Court.]

And be it further Enacted, That the several Vestrymen and Churchwardens within this Province shall, at some Time before the First Day of December next, meet at their respective Parish Churches, and nominate and recommend to the Governor, or Commander in Chief for the Time being, Four or Two, as the Case may require, able and sufficient Planters, well skilled in Tobacco, for the Office of Inspectors or Inspector, for the Year next ensuing, at the several Inspections, for which such Vestrymen and Churchwardens respectively, are by this Act impowered to nominate and recommend, and that the same Method shall be pursued and taken to acquaint his Excellency the Governor, or Commander in Chief, of such Nomination and Recommendation, as is by this Act before directed; any Thing herein before contained notwithstanding.

[Time of  
choosing  
Inspectors  
for 1754.]

And be it further Enacted, That all and every Person and Persons, who now are, or hereafter shall be, intituled to any Action or Actions, or who have any Action or Actions now depending, for the Breach of any of the Laws now in Being, For amending the Staple of Tobacco, shall have and be entitled to the full Benefit of such Action or Actions, and be at Liberty to prosecute the same hereafter, in the same Manner, and as fully and effectually to all Intents and Purposes, as if the said Acts were to be continued in full Force, the Expiration of the said Laws notwithstanding. Provided, That such Action, or Actions, be commenced within the Times limited by the said Laws.

[Actions for  
the Breach  
of former  
Laws.]

And be it further Enacted, That all Prosecutions now depending, in any of the Courts of this Province, for the Breach of any of the Laws aforesaid, shall be continued and carried on, and that any Person or Persons who have been, or shall hereafter be, guilty of a Breach of any of the said Laws, and who have not yet been prosecuted for the same, shall and may be prosecuted for all and every such Breach, and Breaches, in the same Manner, and as fully and effectually to all Intents and Purposes, as if the same Acts were to be continued in full Force; the expiration of the said Laws notwithstanding. Provided, That such Prosecution be commenced within the Time limited by the said Laws.

[p. 104]

[Prosecu-  
tions depend-  
ing at the  
passing this  
Act.]

Liber H. S. And whereas the Warehouse appointed by this Act to be built at  
 No. I the Head of a Creek, commonly called Watkins's Creek, issuing out  
 [St. Jame's of West River, on the Land of Thomas Sprigg, in Anne-Arundel  
 Parish to County, happens to be so situated as that it will stand in the Outer-  
 choose In- most Bounds of Allhallows Parish, next adjoining to St. James's  
 spectors for Parish, wherein Pig Point Warehouse will stand, and as those Two  
 one House Warehouses are, by this Act, to be under one and the same Inspec-  
 in Allhal- tion, and that there are Two other Warehouses already fixed in the  
 lows Parish in Anne  
 County.] Arundel  
 County.] said Allhallows Parish, it is thought reasonable by this General  
 Assembly, that the Vestrymen and Churchwardens of only One of  
 the said Parishes, should nominate and recommend, as by this Act  
 is before directed, the Two Inspectors to be appointed to attend the  
 said Warehouses on Sprigg's Land, and Pig Point aforesaid: Be it  
 therefore Enacted, That the Vestrymen and Churchwardens of St.  
 James's Parish, for the Time being, shall be, and they are hereby,  
 impowered to nominate and recommend Four able and sufficient  
 Planters, well skilled in Tobacco, for the Execution of the Office  
 of Inspectors, Two of which Persons, so nominated and recom-  
 mended, shall be appointed Inspectors for the Warehouses last  
 mentioned; any Thing in this Act to the contrary notwithstanding.

Whereas Two Warehouses are by this Act established at Kings-  
 Town, in Talbot County, one on the Lot of William Gale, the  
 other on the Lot of William Wilson, and forasmuch as it is the  
 Intention of this Act, that the said House on Wilson's Lot should  
 be used for storing Tobacco only, and the Owner thereof not bur-  
 thened with the Expence of keeping Prizes for his said House, or a  
 p. 105 Wharff and Crane, at his Landing: Be it therefore hereby Enacted  
 and Declared, That One Third Part only of the Nine Pence per  
 Hogshead, due for Rent on all Tobacco delivered out of the said  
 Two Warehouses, shall be paid to the Owner of the House on  
 William Wilson's Lot, and the remaining Two Thirds to the Owner  
 of the House on William Gale's Lot.

And be it further Enacted, That the Proprietor or Proprietors of  
 the Warehouses, at Oxford, on the Lot of Grundy Pemberton, shall,  
 [Beam, &c. to be provided for a House in Talbot.] and they are hereby obliged to find and provide for the said House  
 or Houses, a good and sufficient Beam, Weights and Scales, to be  
 approved of by the Justices of Talbot County.

And it is hereby further Enacted and Declared, That the Sum  
 of Nine Pence per Hogshead, due for Rent on all Tobacco delivered  
 out of the said Houses, and the Warehouses on the Lot of Richard  
 Guildart, shall be paid by the Inspectors of the said Houses by even  
 and equal Portions to the Proprietors or Owners thereof.  
 [Rent how paid.]

And be it further Enacted by the Authority aforesaid, That the  
 Justices of Talbot County shall be, and they are hereby impowered  
 to sell, or otherwise secure and dispose of, for the Use of the said  
 County, the Beam, Weights and Scales, and the Ropes and Blocks,  
 belonging to the Warehouse, at Old-Field Landing.  
 [Weights, &c. at Old Field Land- ing, to be sold.]



And be it further Enacted, That no Deputy-Commissary within this Province, shall exact, extort, demand, take, accept, or receive, from any Person whatsoever, any Fee or Fees, Gratuity, Gift, or Reward, for giving his Advice in any Matter or Thing, relative to his Office, or for procuring a Commission from the Commissary-General, to pass any Account before him.

Liber H. S.  
No. 1

[Deputy  
Com. not to  
charge any  
Fee for Ad-  
vice, &c.]

And be it further Enacted, That no Deputy-Commissary shall exact, demand, take, or receive, any other Fee or Reward for drawing and stating all Accounts, than the Sum of One Pound and an Half of Tobacco for each Voucher produced and allowed in such Accounts, and no more.

[Their Fees  
for stating  
Accounts.]

And be it also further Enacted, That no Deputy-Commissary, shall charge more than the Sum of Fifty Pounds of Tobacco for passing the first Account of every Pauper Estate, or demand, exact, or receive, any Fee or Reward, for passing any additional Account thereof.

[Pauper  
Estates.]

And be it further Enacted, That in Case any Security hath been, or shall be taken, for the Payment of any Tobacco Debt contracted, or that became due before the Fifteenth Day of May, one Thousand Seven Hundred and Forty Seven, to be paid in inspected Tobacco, such Tobacco so secured, to be paid as aforesaid, shall be liable and subject to an Abatement or Deduction of One Fourth Part. And if any Person or Persons shall be sued on any such Security, the Plaintiff shall, or may be examined and interrogated by the Court, wherein the Action shall be commenced, in the same Manner as is above in this Act provided in such Cases, wherein any Security hath been, or shall be taken, for the Payment of Money instead of Tobacco.

[Deduction  
if Debts be-  
came due be-  
fore May 15,  
1754.]

p. 106

And be it Enacted, by the Authority, Advice, and Consent aforesaid, That an Act made at a Session of Assembly, held at Annapolis, in May, Seventeen Hundred and Forty Eight, entitled, An Act enabling the Commissioners of Charles-Town, in Cæcil County, to build an Inspection-House in the said Town, be, and is hereby continued to be, and remain, in full Force, for and during the Continuance of this Act.

[One Act  
continued.]

And be it further Enacted, That the Inspector at Plymouth Warehouse, in Dorchester County, shall not be obliged to attend at the said Warehouse more than Three Days in a Week, between the First Day of April and the Twentieth Day of August yearly; and the Inspectors at the Warehouse at John Holland's on Bohemia, more than Four Days in each Week, at the said Warehouse, from the First Day of April, 'til the Twentieth Day of August yearly; nor the Inspector at Charles-Town, on North-East River, more than Three Days in each Week, between the First Day of April and the Twentieth Day of August yearly; and the Inspector at Annapolis Warehouse shall not be obliged to attend more than Three Days in each Week at the said Warehouse, between the First Day of April,

[Time of At-  
tendance of  
the Inspec-  
tors of some  
particular  
Ware-  
houses.]

Liber H. S. and the Twentieth Day of August yearly; and at the Warehouse on  
 No. I Hopewell's Land, in St. Mary's County, more than Four Days in  
 each Week, at said Warehouse, between the First Day of April and  
 the Twentieth Day of August yearly; and the Inspectors at Chester-  
 Town, in Kent County, more than Four Days in each Week; the  
 Inspectors at George-Town, more than Three Days in each Week;  
 the Inspectors at Falconar's Warehouse, more than one Day in each  
 Week; the Inspectors at Worton, more than One Day in each  
 Week; the Inspectors at Langford's Bay, more than Two Days in  
 each Week; and the Inspectors at Tovey's Warehouse, more than  
 Two Days in each Week, between the First Day of April and the  
 Twentieth Day of August yearly.

[Trash Act  
 continued.] And be it further Enacted, That the Act, entitled, An Act to  
 p. 107 prevent the Sale of trashy Tobacco, made at a Session of Assembly  
 begun and held at the City of Annapolis, the Fifteenth Day of May,  
 Anno Domini, Seventeen Hundred and Fifty One, be, and is hereby  
 continued to be and remain, in full Force, Power, and Virtue,  
 for and during the Continuance of this Act.

[Inspectors  
 to take Care  
 of Weights,  
 Ropes,  
 Scales, &c.] And be it further Enacted, That every Inspector and Inspectors,  
 in any Inspection House within this Province, shall, and they are  
 hereby obliged and directed, immediately after the Conclusion of  
 the respective Inspections, and prizing, yearly, carefully to take down  
 the Scales, Ropes, and Blocks, belonging to the several and respective  
 Houses, and lay up the same, with the Weights, carefully, in some  
 Part of the respective Houses, and preserve the same from Damage;  
 [Penalty for  
 Neglect.] and if any Inspector or Inspectors shall neglect to take down and lay  
 up the Blocks, Ropes, Scales, and Weights, as aforesaid, imme-  
 diately after they have finished prizing, shall forfeit and pay, to the  
 Right Honourable the Lord Proprietary, to the Uses in this Act  
 before directed, the Sum of Five Pounds Current Money; to be  
 recovered before One Magistrate of the County where such Offences  
 shall be committed, One Half to the Informer, and the other Half  
 to the Use of the County aforesaid, to be applied to defray the  
 Charge of such County, accruing on the carrying this Act into due  
 Execution.

[Continua-  
 tion of this  
 Act.] This Act to continue in full Force until the First Day of December,  
 which shall be in the Year of our Lord, One Thousand Seven Hun-  
 dred and Fifty Eight.

15<sup>th</sup> November 1753.  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p. Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Prov-  
 ince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

15 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p. Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

[EDITOR'S NOTE.—The Lord Proprietary under what appears to  
 be the date of December 10, 1754, writes to the Governor and Council

objecting to various provisions contained in the above act and threatened to "repeal" the entire law by dissent unless the Assembly repeals the portions to which he objects. The threat does not appear to have been carried out. See *Archives of Maryland*; XXXI, 57.]

Liber H. S.  
No. 1

- No. 22 An Act to cut off the Entail of Part of a Tract of Land called Charley now lying in Charles and Prince Georges County's and to Entail Lands of equal Value in lieu thereof.

Whereas William Wells of Ann Arundel County and Rebecca his Wife have by their Petition to this General Assembly set forth That a certain William Marshall late of Prince Georges County deceased (Father to the Petitioner Rebecca) did by his last Will and Testament in writing duly executed and recorded Devise Part of a Certain Tract of Land called Charley now laying Part thereof in Charles County and Part in Prince Georges County Containing One hundred and thirty Acres to her the said Rebecca and the Heirs of her Body lawfully begotten and in default of such Heirs then to his son Thomas Marshall and his Heirs for ever as in the said Will is expressed and that he the said William Wells in Right of his wife Rebecca by virtue of the Devise aforesaid stands seized and Possessed of the said Part of the Tract of Land called Charley. And Whereas the said William Wells by his said Petition hath further set forth that he is seized in Fee of and in a Tract or Parcel of Land containing One hundred four Acres and an half Acre being one moiety or Part of a Tract of Land called Evans's Purchase laying in Ann Arundel County aforesaid purchased by him the aforesaid William Wells from a certain Elizabeth [Faudrie?] of Ann Arundel County, and that he is also Seized in Fee of and in a Tract or Parcel of Land containing Fifty Acres laying in Ann Arundel County aforesaid being Part of a Tract of Land called Trent purchased by him the said William Wells from a certain Henry Child of Ann Arundel County aforesaid, and that the said Land called Charley being Part in Charles County and Part in Prince Georges County aforesaid and being very Hilly and Stoney and what is level thereof and under the Hills is in the greatest Part wet and low Ground that it is thereby unfit for any number of Hands to work and very incommodious to the said Petitioners and unprofitable. And that the said One hundred four Acres and an half Acre the moiety or Part of the Tract of Land called Evans's Purchase laying in Ann Arundel County aforesaid and the said Fifty Acres of Land part of the Tract of Land called Trent laying in Ann Arundel County aforesaid are of equal Value with the One hundred and thirty Acres of Land part of the Tract of Land called Charley. And Whereas the said William Wells and Rebecca his wife by their said Petition have prayed that the One hundred and thirty Acres Part of the said Tract of Land called Charley now the Entailed Estate of the said William Wells and Rebecca his wife may not be

p. 108

Liber H. S. incumbered with the said Intail but that the same may be totally  
No. I docked and cut off and that the said Rebecca Wells wife of the said  
William Wells may be Vested with an absolute Estate in Fee Simple  
p. 109 therein and that the Parcel of Land containing One hundred and four  
Acres and an half Acre being Part of the Tract of Land called  
Evans's Purchase and the Parcel of Land containing Fifty Acres  
being Part of the Tract of Land called Trent be Entailed in the  
same manner by an Act of Assembly as the said One hundred and  
thirty Acres of Land part of the said Tract of Land called Charley  
is Entailed by the said Last Will and Testament of William Marshall  
of Prince Georges County aforesaid. And forasmuch as it appears  
to this General Assembly that the said One hundred and four Acres  
and an half Acre part of the Tract of Land called Evans's Purchase  
laying in Ann Arundel County aforesaid and the said Fifty Acres  
of Land part of the Tract of Land called Trent also laying in Ann  
Arundel County aforesaid are of equal Value with the One hundred  
and thirty Acres of Land part of the aforesaid Tract of Land  
called Charley and that Thomas Marshall son and Heir of the said  
William Marshal who has by virtue of the Will of the said William  
Marshal an Estate in Fee Simple in the said One hundred and thirty  
Acres of Land Part of the said Tract of Land called Charley expectant  
on the Demise of the said Rebecca Wells without Heirs of  
her Body lawfully begotten hath signified by a Remonstrance under  
his Hand and Seal to this present General Assembly that he is willing  
that the Entail of the said One hundred and thirty Acres part of  
the said Tract of Land called Charley may be Docked and Cutt off  
and that the said One Hundred and four Acres and an half Acre of  
Land part of the Tract of Land called Evans's Purchase aforesaid  
and the Fifty Acres of Land part of the Tract of Land called Trent  
may be Entailed in lieu thereof and in the same manner that the  
said One hundred and thirty Acres part of the Tract of Land called  
Charley is Entailed. Therefore be it Enacted by the Right Hon-  
ourable the Lord Proprietary by and with the Advice and Consent  
of his Lordships Governor and the Upper and Lower Houses of  
Assembly and the Authority of the same That the said Rebecca  
Wells Wife of the said William Wells be and is hereby vested with  
an Absolute Estate in Fee Simple of and in the said One hundred  
and thirty Acres of Land Part of the said Tract of Land called  
Charley laying part thereof in Charles County and Part thereof in  
Prince Georges County as fully and amply as if the same had been  
Devised to her in Fee Simple by the last Will and Testament of  
p. 110 the said William Marshall late of Prince Georges County deceased  
and that the said William Wells and Rebecca his Wife have by  
Vertue of this Act of Assembly full Power and Authority to sell  
and Dispose thereof or any Part or Parcel thereof as fully and  
amply as if the same One hundred and thirty Acres of Land Part  
of Charley aforesaid had not been Entailed by the will of the

said William Marshall aforesaid any Thing in the said Will contained to the Contrary thereof in any wise notwithstanding

Liber H. S.  
No. I

And be it further Enacted by the Authority Advice and Consent aforesaid That the aforesaid One hundred and four Acres and an half Acre of Land Part of the Tract of Land called Evans's Purchase laying in Ann Arundel County aforesaid so as aforesaid Purchased by the said William Wells from the said Elizabeth Fandrie [Faudrie?] and the aforesaid Fifty Acres of Land part of the Tract of Land called Trent laying in Ann Arundel County aforesaid so as aforesaid Purchased by the said William Wells from the said Henry Child be and are by Virtue of this Act of Assembly the Estate of the sd Rebecca Wells the Wife of the aforesaid William Wells and the Heirs of her Body lawfully begotten and in Default of such Heirs then to Thomas Marshall and his Heirs for Ever but if he should Intermarry with a certain Susanna Swan in the said Will of the said William Marshal mentioned then the said Land to be the Estate of John Son of the said Testator William Marshall and his Heirs for ever according to the Will of the said William Marshall and as therein is expressed Saving to his most Sacred Majesty his Heirs and Successors to the Right Honourable the Lord Proprietary his Heirs and Successors and to all Bodies Politick and Corporate and to all others not mentioned in this Act their several and respective Rights.

16.<sup>th</sup> November 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Prop<sup>y</sup> of this Province  
I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

16 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 23 An Act to Repeal an Act entituled An Act for the Confirmation of the Lands therein mentioned to Richard Bennett Esquire p. 111

Wherein at a Session of Assembly begun and held at Annapolis the Eleventh Day of October in the Year of our Lord Seventeen Hundred and Twenty an Act passed Intituled An Act for the Confirmation of the Lands therein mentioned to Richard Bennett Esquire late deceased by which said Act the said Richard Bennett his Heirs and Assigns for Ever by virtue of his Purchase from Maurice Birchfield Esquire Surveyor General of the Southern District of America and Joseph Brown Son and Heir of Peregrine Brown late of London Merchant deceased was Vested in and seized of a Sure and Indefeasible Estate of Inheritance in Fee Simple in a Parcel of Land called Bolton on Turkey Point and every Part thereof in as full and ample manner as he should could or might if the several Deeds and Conveyances set forth and recited in the Preamble of the said Act had been duly Executed Acknowledged and Recorded

Liber H. S. according to the Intent and Directions of the Laws of this Province and as if the usual Course of Law had been used and taken to Charge the Estate of Thomas Robinson with the money due to the aforesaid Peregrine Brown to the Crown any Defect or Omission Law Statute Usage or Custom to the contrary in any wise notwithstanding Saving to the Right Honourable the Lord Prop.<sup>ty</sup> his Heirs and successors and all Bodies Politick and Corporate and all others not mentioned in the said Act their several and respective Rights. And Whereas it doth not appear to this General Assembly that the said Thomas Robinson was at the Time of his Death Indebted either to the afs.<sup>d</sup> Peregrine Brown or to the Crown as in the said Act is recited and suggested or that the Heirs of the afs.<sup>d</sup> Thomas Robinson then deceased or any other Person or Persons who was were or might be Entituled to one moiety of the afs.<sup>d</sup> Parcel of Land had notice of any Design or Purpose to apply to the General Assembly for the obtaining of the afs.<sup>d</sup> Act of Assembly at the Time when the same was applied for and obtained And Whereas it is made appear to this general Assembly that the afs.<sup>d</sup> Act was obtained by the great Interest of the aforesaid Maurice Birchfield and Richard Bennett and others in Power by means whereof the Person or Persons who at the Time of passing the afs.<sup>d</sup> Act of Assembly had a legal Right or Title to one Moiety of the aforesaid Parcel of Land called Bolton on Turkey Point were divested thereof as it appears to this General Assembly contrary to Equity Right and Justice. Wherefore and on a full hearing of Bennett Chew Devisee of the aforesaid Richard Bennett deceased and Thomas Catteral who Claims a Right or Title to one moiety of the said Parcel of Land as the Heir at Law of the aforesaid Thomas Robinson and to the End that as to the said moiety of the said Parcel of Land the same may be and remain in the same State and Condition to all Intents and Purposes whatsoever as if the said Act had never been made or passed and that no Person or Persons who had the legal Right or Title thereto at the Time of passing the said Act or any other Person or Persons claiming by from him or them should be barred or precluded of his or their Right or Title to the same by means of the said Act of Assembly or any Matter Clause Article or Thing therein contained

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same. That so much of the said Act of Assembly intituled An Act for the Confirmation of the Lands therein mentioned to Richard Bennett Esquire and all and every Past Clause Matter Article and Thing therein contained which in any wise manner or respect whatsoever doth or can relate to or concern the afs.<sup>d</sup> One Moiety of the Parcel of Land aforesaid be and is hereby utterly Repealed Abrogated and made void to all Intents Constructions and Purposes what-

soever. And be it also further Enacted by and with the Advice Consent and Authority aforesaid That nothing in the aforesaid Act or in this present Act contained shall be Construed Deemed or Taken in any wise manner or respect whatsoever to aid any Defect or Omission in or of the Execution Acknowledgement or Recording of any Deed or Conveyance in the aforesaid Act mentioned whereby to vest give or confirm any Right or Title in the said Moiety of the Parcel of Land aforesaid in or to any Person or Persons whatsoever but that the Person or Persons who have the legal Right or Title to the said Moiety of the Parcel of Land aforesaid at the Time of passing the said Act of Assembly or the Person or Persons lawfully claiming by from or under him or them shall have the same Right and Title to the Moiety of the Parcel of Land afs.<sup>d</sup> as if the said Act of Assembly had never been made any Thing therein contained to the Contrary or any Law Statute Usage Prescription or Custom to the Contrary in any wise notwithstanding.

Liber H. S.  
No. 1

p. 113

16<sup>th</sup> November 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province  
I will this be a Law  
Hor.<sup>o</sup> Sharpe

16 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

the great seal in  
Wax Appendant

[EDITOR'S NOTE.—Although passed by the Assembly and signed by the Governor, the above act received the dissent of the Lord Proprietary, December 10, 1754, and became null and void. See Appendix pages 635-641.]

No. 24 An Act for the Vesting and Settling an Estate of Inheritance in fee Simple of and in a certain Parcel or Lot of Ground in the City of Annapolis Containing One hundred and twenty feet in length formerly by An Act of Assembly of this Province confirmed to Robert Gordon of the City of Annapolis Merchant, on Horatio Samuel Middleton and his Heirs for Ever.

p. 113

Whereas Horatio Samuel Middleton by his humble Petition to this present General Assembly did set forth That he was Seized of and in One hundred and twenty feet of Ground lying at the North West end of the New Prison in the City of Annapolis being part of the Ship Carpenter's Lot with the whole breadth thereof Granted and confirmed to Robert Gordon Esq.<sup>r</sup> and his Heirs for Ever by An Act of Assembly of this Province made the twenty sixth Day of October One Thousand Seven hundred and twenty three on Proviso, "that if the said Robert Gordon his Heirs or Assigns should apply the said Parcel of the Lot of Ground aforesaid to any other use than that of a Ship Carpenter's yard (Except necessary buildings for that Service) and should neglect to carry on the business of a Ship Carpenter for the space of Twelve Months together

Liber H. S. and pay the Proprietor the Proportionable part of the Assessment  
 No. I thereon and also pay to the Corporation of Annapolis Five Shillings  
 Current Money Annually for the ground Rent thereof within Two  
 months after reasonable Request made that then it should and  
 might be lawful for the said Corporation into the aforesaid Parcel  
 or Lot of Ground to Re-enter that the said Robert Gordon some  
 Years after did Sell one Part of the Lot of Ground aforesaid to  
 Elizabeth Bennett and the other Part thereof to Ashbury Sutton  
 of both whom the said Horatio Samuel Middleton had Purchased  
 and with a good deal of Pains and Expence had Built a good  
 Dwelling House, and made sundry other Valuable Improvements  
 p. 114 thereon, and that as that Part of the City had greatly increased in it's  
 Inhabitants who had good Houses and Improvements also since the  
 making the said Act in Seventeen Hundred and twenty three and  
 that the Lower or South West end of the Ship Carpenters Lot and  
 other Places in the said City had been thought both sufficient and con-  
 venient for the Encouragement of Ship Carpenters or others to build  
 Vessels &c. the Corporation of Annapolis on the Seventh Day of  
 May Seventeen hundred and forty six made a Bye Law entitled  
 A By Law to prevent the Dangers and Accidents which might arise  
 from Building Breaming or Graveing Ships Sloops Boats and other  
 Vessels whereby the said Horatio Samuel Middleton was prevented  
 from Complying with that Part of the Proviso in the said Robert  
 Gordons Act mentioned as related to the Ship Carpenter's business  
 and prayed Relief in the Premisses and that an Act might pass in his  
 Favour to confirm his Title to the said One hundred and twenty  
 Feet of Land at the North West or Upper end of the Ship Car-  
 penters Lot with the whole breadth thereof, along Prince Georges  
 Street and on the Dock in Annapolis by giving him and his Heirs  
 for Ever An Estate of Inheritance in Fee Simple on paying the  
 yearly ground Rent Reserved and the proportionable Part of the  
 Assessment to the Proprietor exempted from carrying on the Ship  
 Carpenters business. And whereas it appears to this General Assem-  
 bly that the said Horatio Samuel Middleton his Petition is reasonable  
 and that he had signified his Intention to the said Corporation (who  
 had the Sole Right of Re-entry) by a Petition which he preferred  
 to them and by them Granted as appears by an Indorsement by their  
 Order on the said Petition Be it therefore Enacted by the Right  
 Honourable the Lord Proprietary by and with the Advice and Con-  
 sent of his Lordships Governor and the Upper and Lower Houses  
 of Assembly and the Authority of the same. That the said Horatio  
 Samuel Middleton his Heirs and Assigns for Ever shall be and they  
 are hereby Vested in a good sure indefeazible Estate of Inheritance  
 in Fee simple of in and unto the aforesaid Quantity of One hundred  
 and twenty feet of Land in length along Prince Georges Street at the  
 Upper end of the said Lot with the whole breadth thereof to and  
 p. 115 with the Creek any Law Usage or Custom to the contrary notwith-



standing Provided always That if the said Horatio Samuel Middleton his Heirs or Assigns shall neglect to pay to the Corporation of Annapolis five shillings Current money Annually for the Ground Rent thereof and pay the Lord Proprietary the proportionable Part of the Quit Rents thereon within Two months after reasonable request made that then it shall and may be lawfull for the said Corporation into the aforesaid Parcel or Lot of Ground to Re-enter Saving to his most sacred Majesty his Heirs and Successors to the Right Honourable the Lord Proprietary his Heirs and Successors and to all Bodies Politick and Corporate and all others not mentioned in this Act their several and respective Rights.

16<sup>th</sup> November 1753  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province  
I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

16 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

- No. 25 A Supplementary and Explanatory Act to an Act entituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act entituled, An Act to prevent the tumultuous Meetings, and other Irregularities, of Negroes and other Slaves. p. 115

Whereas by an Act of Assembly of this Province entituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act entituled, An Act to prevent the tumultuous Meetings, and other Irregularities, of Negroes and other Slaves, and directing the Manner of trying Slaves, made at a Session of Assembly, begun and held, at the City of Annapolis, on the Fifteenth Day of May, in the Year of our Lord, One Thousand Seven Hundred and Fifty One, amongst other Things, it was enacted, "That if any Slave shall happen to be slain for refusing to surrender him or herself, contrary to Law, or in unlawful resisting any Officer, or other Person, who shall apprehend, or endeavour to apprehend, such Slave or Slaves, and such Officer or other Person so killing such Slave as aforesaid, making Resistance, shall be, and he is by this Act, indemnified from any Prosecution for such killing aforesaid." And whereas some Doubts may possibly arise about the Construction of the said recited Clause, and whether the Person so killing such Slave as aforesaid, making Resistance, shall undergo any Prosecution for the same; for the Explanation whereof, and to prevent all Disputes or Doubts which may arise concerning the said Clause,

[Preamble.]  
[Recital of  
Part of a  
former Act.]

p. 116

Liber H. S. Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 No. I and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of  
 [If any Slave be killed in  
 resisting  
 any Officer,  
 the Party  
 killing, to  
 under go a  
 Trial.] the same, That nothing in the above recited Act contained shall be  
 construed to indemnify any Officer, or other Person, killing any  
 Slave or Slaves resisting, or refusing to surrender, from undergoing  
 a legal Trial; any Thing contained in the said Act to the contrary  
 notwithstanding: But that it shall and may be lawful for any Person  
 upon his or her Trial, for killing any Slave or Slaves, to give this,  
 and the above recited Act, in Evidence, upon Not guilty pleaded  
 and if it shall appear, upon the Evidence, that such killing as afore-  
 said, was done in the lawful Execution and in Pursuance of the  
 aforesaid Act, that then such Person or Persons, so killing as afore-  
 said, in Pursuance and in the lawful Execution of the aforesaid  
 Act, shall be acquitted and discharged thereof, and from all Penalties,  
 Forfeitures and Punishments, for such killing as aforesaid.

[The Ex- And be it Enacted, That where any Person or Persons shall be  
 pence to be prosecuted for killing a Slave or Slaves resisting, as by the said Act  
 borne by the entitled, An Act for the more effectual Punishment of Negroes and  
 Public.] other Slaves, and for taking away the Benefit of Clergy from certain  
 Offenders; and a Supplementary Act to an Act entitled, An Act  
 to prevent the tumultuous Meetings, and other Irregularities, of  
 Negroes and other Slaves. That then, and in such Case, the Public  
 of this Province shall pay such Person, or Persons, all his Costs  
 and Charges, which he or they shall be at by Means of any such  
 Prosecution.

16<sup>th</sup> November 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Pro-  
 vince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

16 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho

the great seal in  
 Wax Appendant

No. 26 An Act to prevent injuring the Navigation to Baltimore-Town, and  
 p. 117 to the Inspecting House at Elk-Ridge Landing, on Patapsco River.

[Preamble.] Whereas, it is represented to this General Assembly, that by open-  
 ing and digging into the Banks of Patapsco River, for Iron Stone,  
 large Quantities of Earth and Sand are thrown and washed into  
 the said River, and navigable Branches thereof, by which Practice  
 (if continued), the Channel of the said River, and navigable  
 Branches aforesaid, will, in a short Time, be so filled up, that Ves-  
 sels of any Burthen must be prevented from coming into the best and  
 most secure Harbours in the said River, and the Navigation thereof  
 greatly obstructed: For Remedy of which Evil, it is prayed that it  
 may be Enacted,

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session of Assembly, it shall not be lawful for any Person or Persons, to put or lay; or to permit or allow, his or their Servants or Slaves, or any Servants or Slaves under his or their Direction, to carry, put, or throw, into the said River, or any of, the navigable Branches thereof, any Earth, Sand, or Dirt, or to lay or put on the Beach or Shore of the said River, below common High-Water Mark, any Earth, Sand, or Dirt, unless such Earth, Sand, or Dirt, be first well secured by Stone-Walls, Dove-Tailed Log Pens, or other Ways, so that no such Earth, Sand, or Dirt, may wash into the said River, or navigable Branches thereof, to fill up the Channel, or any way injure the Navigation of the said River, or navigable Branches thereof, as aforesaid: And that every Person or Persons so offending, shall, for every such Offence, forfeit and pay the Sum of Five Pounds Current Money; to be recovered before One Magistrate, as in Case of small Debts; one Moiety of such Forfeiture to the Use of his Lordship the Lord Proprietary, for the support of Government, the other to him, her, or them, that will sue for the same.

Liber 11. S. No. I

[Earth, Sand, or Dirt, not to be laid below High Water Mark on Patapsco.]

[Penalty.]

16th November 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province  
I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

16 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho

No. 27 An Act continuing an Act entitled, An additional Supplementary Act to the Act entitled, An Act for laying out and erecting a Town at a Place called Long-Point, on the West Side of North-East River in Cæcil County. p. 118

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entitled, An additional Supplementary Act to the Act entitled, An Act for laying out and erecting a Town at a Place called Long-Point, on the West Side of North-East River, in Cæcil County; made at a Session of Assembly, begun and held, at the City of Annapolis, the Eighth Day of May, Anno Domini One Thousand Seven Hundred and Fifty, be, and is hereby made perpetual. [Preamble.]

And to the End that Proprietors of Water-Lots may be encouraged to build Wharfs, and other Conveniencies, for the better carrying on and promoting of Trade in the said Town: Be it further Enacted, by and with the Authority, Advice and Consent aforesaid,

Liber H. S. No. I That it shall and may be lawful for any Person or Persons having any Lot or Lots, or Part of any Lot or Lots, next adjoining to the Water in Charles-Town aforesaid, to build and make such Improvements as they shall think most convenient, as far as to the Channel of North-East River, not exceeding, in Breadth, the Water Front of such Lot or Lots, or Portion, or Part, of such Lot or Lots, as shall belong to the Builder of such Wharf or Wharfs, or other Conveniences, and such Builder, or Builders, shall have, and enjoy, as full and ample Right to that Part or Parcel of his or their Lot or Lots.

[Owners of Lots in Charles-Town, on the Water, may build Wharfs.] Provided always, That there shall be left Streets and Alleys, convenient to the Water, for public Use, and also, that the Owners of all such Water Lots, so to be improved, pay the Lord Proprietary the Rent of One Penny Current Money for every Acre so improved, and so in Proportion for a greater or lesser Quantity.

[Rent.]

17.<sup>th</sup> November 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Hor.<sup>o</sup> Sharpe

17.<sup>th</sup> Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho

the great seal in  
Wax Appendant

No. 28 An Act to enable the Persons therein named, to levy, assess, and apply, the Money therein mentioned.  
p. 119

[Preamble.] Whereas, sundry Persons, Inhabitants and Owners of Lots, in Chester-Town, in Kent County, by Petition to this General Assembly, have set forth, That there have, at several Times, several Dwelling-Houses, and other valuable Buildings, been destroyed by Fire, within the same Town, which might have been prevented by Fire-Engines, had they been provided with such; and therefore prayed that an Act might be passed, to oblige the Owners or Possessors of the Lots, or Parts of Lots of the same Town, according to the late Survey thereof, to pay the Sum of Twenty Shillings for every such Lot, and in Proportion for every Part of a Lot so owned or possessed, into the Hands of certain Persons to be appointed to receive the same, to be by them laid out for Fire-Engines, for the Use of the said Town. And whereas the Justices of the same County, by Indorsement on the same Petition, have certified, that there being in the same Town, a Piece of Ground whereon the public Buildings are erected, containing by Estimation about Five Acres, they think it reasonable and necessary, that the Sum of Five Pounds should be levied on the taxable Inhabitants of the County for the Purpose aforesaid.

[Commissioners named to levy Money for Fire-Engines in Chester-Town.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Bedingfield Hands, Thomas Ringgold, and Joseph Nicholson, of Chester-Town aforesaid, be, and are hereby, appointed and constituted Commissioners for raising and levying

Money for purchasing Fire-Engines for the Use of the Inhabitants of the Town aforesaid, and building a House or Houses necessary for preserving and lodging the same. Liber II. S. No. I

And be it further Enacted, by the Authority aforesaid, That the same Commissioners, or any of them, shall and may, and they are hereby impowered and authorized, at any Time after the End of this present Session of Assembly, to demand, take and receive, of and from the Owner or Owners, Possessor or Possessors, of every Lot of Land in Chester-Town aforesaid, according to the late Survey thereof, and from the Agent, Factors or Attorneys, of such Owners, or Possessors, as shall be beyond Seas, or out of this Province, the Sum of Twenty Shillings Current Money of this Province, for every such Lot, and so in Proportion for any Part or Parts of such Lots so held or possessed. [The Sum to be levied.]

And be it further Enacted, That if the Possessors of any of the same Lots be Tenants to the Owners thereof, such Tenants shall be, and they are hereby, obliged to pay to the same Commissioners, the Sums hereby appointed to be paid, for such Lots, or Parts of Lots, by them held or possessed, and to discount the same out of the Rents by them payable for such Lots, or Parts of Lots. p. 120  
[On Lots rented by Tenants.]

And be it further Enacted, That if any Owners of any of the same Lots, not being inhabited, or leased, or let out, shall, at the Time of collecting the Moneys aforesaid, be Infants under the Age of Twenty-one Years, in every such Case, the Guardian of such Infant shall be obliged to pay the Money aforesaid, for such Lots, or Parts of Lots; for which such Infants, when they come of full Age, shall be accountable to such their Guardians. [On Lots belonging to Infants.]

And be it further Enacted, That if any of the Persons aforesaid, hereby obliged and directed to pay the Sums of Money aforesaid, shall, upon Demand thereof made by any one of the Commissioners aforesaid, refuse or delay Payment thereof, it shall and may be lawful for any Justice of Kent County, or other County, where such Person or Persons so refusing or delaying resides, to issue his Warrant against him, her, or them, and upon hearing in a summary Way, to give Judgment for such Sum or Sums, by him, her, or them, so payable, and thereon to grant Execution against Bodies, Goods, or Chattels; and if any Dispute should arise at any Time about the Right of any such Person or Persons, to pay such Sums of Money as aforesaid, it shall and may be lawful for any Three Justices of Kent County aforesaid, to hear and determine such Disputes in a summary Way, by which Determination all Persons shall be bound, without further Appeal. [In Case of Refusal, Warrant and Execution may issue.]

And be it further Enacted, That the Justices of Kent County shall, and they are hereby impowered at the Time of laying and assessing their next County Levies, to lay and assess the Sum of Five Pounds [s]. to be levied on the County.]

Libert H. S. Current Money on the taxable Inhabitants of the same County, for  
No. I the Time being, to be collected by the Sheriff of the County aforesaid,  
in the Levy aforesaid, and to be by him paid to the Commissioners  
aforesaid, by them to be applied for the Uses and Purposes as the  
other Moneys aforesaid hereby directed to be applied.

And be it further Enacted, by the Authority, Advice and Consent  
[The Com- aforesaid, That the Commissioners aforesaid, or any Two of them,  
missioners to apply the when and as soon as the Moneys aforesaid, or so much thereof as  
Money.] shall be sufficient for the Purpose herein mentioned, shall be by them  
raised and received, therewith to purchase and procure Fire-Engines,  
with the necessary Appurtenances, as good and convenient as can be  
had for such Moneys, and to appoint a Place in the said Town as  
p. 121 convenient as may be, for the general Benefit of the Inhabitants of  
the same, and thereon to cause a House to be built, wherein to lodge  
the same safe from the Injuries of Weather, and that the Key of  
such House shall be put in the Possession of some Person living  
near such House, and by him or her kept so as every one having Occa-  
sion for such Engines, may have ready Access thereto.

17<sup>th</sup> Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Hor.<sup>o</sup> Sharpe

17 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho

the great seal in  
Wax Appendant

No. 29 An Act empowering the Justices of Prince-George's County, to levy  
on the taxable Inhabitants of the said County, a Sum of Tobacco  
for the Uses therein mentioned.

[Preamble.] Whereas sundry of the Inhabitants of Prince-George's County, by  
their humble Petition to this General Assembly, have set forth, that  
the Re-building the Prison of the said County, on the Lot of Land  
whereon the Court-House now stands, and on which Lot the same  
Prison, by a former Act of Assembly is directed to be built, would  
(in Case the same should take Fire) not only greatly endanger the  
Court-House, but also the Records of the said County, and have  
prayed that an Act may pass, empowering the Justices of Prince-  
George's County, to levy a Sum not exceeding Three Thousand  
Pounds of Tobacco, to be applied in the Purchase of a Lot of Ground  
in Upper-Marlborough Town, as may seem most convenient and safe,  
whereon to build the said County Prison :

[3000 lbs. of Be it therefore Enacted, by the Right Honourable the Lord Pro-  
Tobacco, to prietary, by and with the Advice and Consent of his Lordship's  
be levied in Governor, and the Upper and Lower Houses of Assembly, and the  
Pr. George's Authority of the same, That the Justices of Prince-George's County,  
County;]

for the Time being, shall, and they are hereby authorized and directed, at their Court, to be held in November Seventeen Hundred and Fifty Three, to levy on the taxable Inhabitants of Prince-George's County, a Sum not exceeding Three Thousand Pounds of Tobacco, together with the Sheriff's Salary of Five per Cent, for Collection thereof, which Sum, so assessed and levied, shall be collected by the Sheriff of Prince-George's County, who is hereby required to pay the same to the Justices of the said County for the Time being, or their Order or Orders.

And be it further Enacted, That the said Justices are hereby authorized and required, out of the Sum not exceeding Three Thousand Pounds of Tobacco aforesaid, to contract with and Purchase of any Person or Persons whatsoever, a Lot of Land in any Part of the said Upper-Marlborough Town they shall think fit, thereon to build a new Prison for the said County, instead of the Place appointed and directed by a former Act, and that the Conveyance or Conveyances for the same Lot of Land shall be, and are hereby directed and required to be by Deed, Indented, and to be made between the Vendor or Vendors of the First Part, and the said Justices for the Time being of the Second Part, and shall be deemed, construed and taken, to be the said Justices for the Time being, and to their Successors, to and for the proper Use and Behoof of the Inhabitants of the said County for ever.

And be it likewise Enacted, That any Person or Persons agreeing, contracting, or bargaining with the Justices of the said County, for the Building the said Prison, on the Lot or Parcel of Land whereon the Court-House now stands, shall, and he or they are hereby declared to be, obliged to build the said Prison on such Lot or Parcel of Land as shall be bought, and appointed by the Justices aforesaid, for that Purpose, as if the said Agreement, Contract, or Bargain, had been made for the Building the Prison aforesaid, on the Lot of Land to be bought, and appointed for that Purpose, in Virtue of this Act.

17<sup>th</sup> November 1753.  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honble the Lord Pro-  
prietary of this Province  
I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

17 Novem.<sup>r</sup> 1753.  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 30 An Act to enable the Justices of Frederick County, for the Time being, to Levy on the taxable Inhabitants of the said County, a Sum of Money, for the Uses therein mentioned.

Whereas, by an Act of Assembly, made and passed at a Session of Assembly, held at the City of Annapolis, in the Year Seventeen [Preamble.]

Liber H. S. Hundred and Forty Eight, entitled, An Act to divide Prince  
 No. I George's County, and to erect a new one by the Name of Frederick  
 p. 123 County, among other Things it was Enacted, "That the Justices of  
 Frederick County should be authorized and empowered to assess and  
 levy on the taxable Persons of the same County, a Sum of Money  
 therein mentioned, for Building and Erecting a Court-House." And  
 whereas it has been found, that the said Sum is insufficient for Build-  
 ing, Erecting, Compleating, and Finishing the same;

Be it therefore Enacted, by the Right Honourable the Lord Pro-  
 prietary, by and with the Advice and Consent of his Lordship's Gov-  
 ernor, and the Upper and Lower Houses of Assembly, and the  
 Authority of the same, That the Justices of Frederick County, for the  
 Time being, shall and may, and they are hereby authorized, impow-  
 ered, and directed, to levy and assess upon the taxable Inhabitants of  
 the said County, at next November Court, a Sum of Money. not  
 exceeding Two Hundred and Ten Pounds Current Money, and the  
 Salary of Five per Centum to the Sheriff for collecting the same;  
 which said Sum of Money shall be collected by the Sheriff of the  
 said County in the same Manner as other Public and County Dues are  
 collected; One Hundred and Ten Pounds of which said Sum of  
 Money, so to be collected as aforesaid, to be paid to Thomas Radford,  
 of Frederick County, Joiner, for the Work done by him in and about  
 the said Court-House; and the Residue of the said Sum of Money to  
 be applied by the said Justices to the compleating and finishing the  
 said Court-House in such Manner, as to the said Justices, in their  
 Direction, shall seem meet and proper.

17<sup>th</sup> November 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honble the Lord Pro-  
 prietary of this Province  
 I will this be a Law  
 Hor.<sup>o</sup> Sharpe

the great seal in  
 Wax Appendant

17 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

No. 31 A Supplementary Act to the Act entitled, An Act empowering the  
 Justices of Baltimore County Court, to assess and levy a Sum of  
 Current Money, and for other Purposes therein mentioned.

[Preamble.] Whereas, the Rector, Vestrymen, Churchwardens, and other Par-  
 ishioners, of Saint John's Parish, in Baltimore County, have, by their  
 Petition to this General Assembly, set forth, That the Sum of Money  
 assessed and levied, in Virtue of the said recited Act, is not suffi-  
 cient for building and finishing a Chappel of Ease for the said Parish,  
 according to the Directions of the said Act, and therefore prayed,  
 p. 124 that a further Sum of Seventy Thousand Pounds of Tobacco might  
 be levied, by two equal Assessments, on the taxable Inhabitants of



the said Parish, and applied towards the Building and Compleating the Chappel of Ease aforesaid. Liber H. S. No. 1

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Justices of Baltimore County Court, for the Time being, and they are hereby directed and required, at laying their County Levy, in November Court, in the Years Seventeen Hundred and Fifty Four, and Seventeen Hundred and Fifty Five, to assess and levy, on the taxable Inhabitants of the said Parish, by two equal Assessments, the Sum of Thirty Five Thousand Pounds of Tobacco in each Year, exclusive of the Sheriffs Salary of Five per Cent, for collecting the same, to be by the said Sheriff paid to the Order of the Commissioners in the said recited Act named, or the major Part of them, and by them, or the major Part of them, applied to, and for, the Erecting, Building, and Compleating a Chappel of Ease for the said Parish, according to the Directions of the said recited Act. [7000 lbs. of Tobacco, to be levied in St. John's Parish, at two Assessments, to build a Chappel of Ease.]

Provided always, and be it further Enacted, That it shall and may be lawful for the several and respective Inhabitants of Saint John's Parish aforesaid, to pay and discharge the said several and respective Sums of Tobacco, so to be levied and raised for the Uses aforesaid, in Current Money, in the same Manner as they are enabled to pay and discharge the Public or County Levy. [It may be paid as County Levies.]

17<sup>th</sup> November 1753  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honble the Lord Pro-  
prietary of this Province  
I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

17 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 32 A Supplementary Act to an Act entituled, An Act to aid the Title of Purchasers of Lots, in Princess-Anne-Town, in Somerset County.

Whereas, by an Act of Assembly of this Province entituled, An Act to aid the Title of Purchasers of Lots, in Princess-Anne-Town, in Somerset County, made at a Session of Assembly, begun and held at the City of Annapolis the Fifteenth Day of May, Anno Domini One Thousand Seven Hundred Fifty and One, which said Act was continued by an Act entituled, An Act for the Continuation of Actions, and securing the Peace and good Government of this Province, made at a Session of Assembly, begun and held at the City of Annapolis the Seventh Day of December, Anno Domini One Thousand Seven Hundred and Fifty One; by the former of which said Acts, it was Enacted, "That the Takers-up or Purchasers of any Lot or Lots, or Part or Parcel of Lot or Lots, in Princess-Anne- p. 125  
[Preamble.]

[Recital of Part of a former Act.]

Liber H. S. Town, in Somerset County, having performed all Requisites, by the  
 No. I said Act required, should be invested with a pure, absolute, and inde-  
 feazible Estate of Inheritance in Fee Simple, of, in, and to such Lots,  
 or Lot, or Part of a Lot, with the "Appurtenances," in which said  
 recited Act, there is not any saving Clause to preserve the Quit-Rents  
 of the Right Honourable the Lord Proprietary of this Province,  
 which shall issue and become due out of the said Lots or Lot, or  
 Part of a Lot, or which would or might have issued and became  
 due out of the same, if the said Act had never been made.

And whereas also, by the said recited Act, a Doubt may hereafter  
 arise whether the Right of Escheat, which may have happened since  
 the aforesaid Fifteenth Day of May, One Thousand Seven Hundred  
 Fifty and One, or which at any Time hereafter may arise to the  
 Right Honourable the Lord Proprietary, his Heirs or Successors, in  
 the said Lots, or any of them, or which would or might have arisen  
 if the said recited Act had never been made, is not by the said Act  
 extinguished.

[The said Act not to bar the Lord Proprietary from his Quit-Rents in Princess-Anne-Town.]  
 Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of the  
 same, That the said Act entitled, An Act to aid the Title of Pur-  
 chasers of Lots, in Princess-Anne-Town, in Somerset County, or any  
 Clause or Matter therein contained, shall not bar, or be construed to  
 bar, or any Ways prejudice, the Right of the Lord Proprietary, his  
 Heirs or Successors, to the Quit-Rents, which shall issue and grow  
 due out of any of the said Lots, or Part of any Lot, in the said  
 Town, or which has at any Time heretofore since the aforesaid  
 Fifteenth Day of May, Anno Domini One Thousand Seven Hundred  
 and Fifty One, issued or grown due, or which would or might have  
 issued, or grown due, if the said last mentioned Act had never been  
 made.

[Not to bar the Right of Escheat.]  
 And be it further Enacted by the Authority aforesaid, That noth-  
 ing in the above last recited Act contained, shall bar or any Ways  
 prejudice, the Right of Escheat, which may have arisen since the  
 aforesaid Fifteenth Day of May, One Thousand Seven Hundred  
 Fifty and One, or which may hereafter arise to the Right Honourable  
 the Lord Proprietary, his Heirs or Successors, of, in, or to, any of  
 the said Lots, or Part of any of the said Lots; any Clause, Matter, or  
 Thing, in the said recited Act, to the contrary notwithstanding.

17<sup>th</sup> November 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Pro-  
 vince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

the great seal in  
 Wax Appendant

17 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

No. 33 An Act for the Relief of Daniel Hull, a languishing Prisoner in Talbot County Goal. Liber H. S.  
No. I

Whereas the said Daniel Hull, by his humble Petition to this General Assembly, has set forth, That by sundry Misfortunes, he is rendered altogether unable to discharge his just Debts, and has been for some Time, a Prisoner in the Custody of the Sheriff of Talbot County, and is likely to continue in that deplorable Circumstance, although he has made frequent offers to make an equitable Distribution of his Effects among his Creditors, unless relieved by an Act passed in his Favor: And whereas the Truth of the Facts, set forth in the said Petition, are made appear to this present General Assembly, and that the said Petitioner is really an Object of Compassion: It is therefore prayed that it may be enacted,

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That unless all or any of the Creditors of the said Daniel Hull, or the Attorney of such Creditors, within this Province, shall, within Twenty Days after this Session of Assembly, go to the Sheriff of Talbot County aforesaid, and give good Security to pay the Imprisonment Fees that shall or may become due from the said Daniel Hull, and also, find the said Daniel Hull sufficient Meat, Drink, and Cloathing, during his future Imprisonment; and in Case the said Daniel Hull shall deliver up and surrender, or cause to be delivered up and surrendered, to the Sheriff of the County aforesaid, in the Presence of Two Justices of the Peace of the said County, whom the said Sheriff is hereby required to summon, on Request of the said Daniel Hull, at some convenient Time after the Receipt of this Act, not exceeding Five Days, all his real and personal Estate, either in Possession, Reversion, Remainder, or in Trust, of, in, or unto which he has any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriff of Talbot County, for the Use of the said Creditors, all such his Estate, Interest or Claim as aforesaid, after such Manner as by the said Sheriff, and by the major Part of such Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law, shall reasonably be devised or required, at the Costs and Charges of the Persons who shall claim the Benefit thereof, so as the said Daniel Hull be not burthened with any Warrantees thereby, other than from himself or those claiming by, from or under him, and that the said Daniel Hull, at the Time of such his surrendering and transferring his Estate as aforesaid, shall take his solemn Affirmation, before the said Two Justices, to the Effect following, viz. I Daniel Hull do solemnly declare and affirm, That the Goods, Debts and Effects which I have delivered, assigned,

[Daniel Hull to be discharged from Prison, on delivering up his Effects, on his Affirmation.]

p. 127

[The Affirmation.]

Liber H. S. and made over to the Sheriff of Talbot County, in Trust for the  
 No. I Use of my Creditors, is the whole Estate both real and personal of my  
 own in Possession, or that I have any Title to in the World, and that  
 I have not any Estate, Goods or Effects, of any kind whatsoever, left  
 either in Possession, Reversion, or Remainder, (the necessary wear-  
 ing Apparel for myself, Wife and Children, and working Tools  
 excepted) and that I have not directly or indirectly, sold, leased,  
 or otherwise conveyed, disposed of, or intrusted, all, or any Part of  
 my Estate, thereby to defraud my Creditors, or to secure the same  
 to receive or expect any Profit or Advantage thereof: That then  
 it shall and may be lawful for the Sheriff of the County aforesaid,  
 after the End of the said Twenty Days, and the said Sheriff is hereby  
 required to discharge the said Daniel Hull out of his Custody, and  
 suffer him to go at large.

And be it further Enacted, by the Authority aforesaid, That if the  
 said Daniel Hull, shall hereafter be imprisoned by Reason of any  
 Judgment or Decree obtained for the Payment of any Debt, Dam-  
 age or Cost, contracted, occurred, or occasioned, owing or growing  
 due before the End of this Session of Assembly, upon every or any  
 such Arrest, on any such Judgment or Decree or for any such Debt,  
 Damage or Cost, it shall and may be lawful for the Judge or Justices  
 of the Court where any such Process shall issue, upon the said Hull's  
 producing a Duplicate of his Discharge as aforesaid, to release and  
 discharge the said Daniel Hull out of Custody, provided the said  
 Daniel Hull being so arrested, shall and do enter his Appearance, or  
 procure some Attorney to appear to every such Action and plead  
 thereto. And provided, That the Discharge of the said Daniel Hull  
 shall not acquit any other Person from such Debt, Damage or Cost,  
 or any Part thereof, but that all such Persons shall be answerable for  
 the same in such Manner as they were before the passing of this  
 Act.

Provided always, and be it Enacted, by the Authority aforesaid,  
 That notwithstanding the Discharge of the said Daniel Hull, all and  
 every Debt or Debts, due and owing from him, and all and every  
 Judgment had, or Decree obtained against him, shall stand and be  
 good and effectual in Law, to all Intents and Purposes, against the  
 Lands, Tenements and Hereditaments, Goods and Chattels of him  
 the said Daniel Hull, and which he, or any other Person in Trust for  
 his Use, had at the Time of the Discharge of him the said Daniel  
 Hull, or which he at any Time hereafter shall or may be any way  
 seized or possessed of, or interested in, to his own Use, or in his own  
 proper Right, either in Law or Equity, (except his wearing Apparel,  
 and Bedding, or working Tools, not exceeding the Sum of Ten  
 Pounds Current Money,) and it shall and may be lawful for any of  
 his Creditors, their Executors, Administrators and Assigns, to take  
 out new Execution or Executions against the Lands, Tenements, or

other Hereditaments, Goods and Chattels, of the said Daniel Hull, (except as before excepted,) for the Satisfaction of his or their Debts, in such Sort, Manner and Form, as he, or they, might have done if the said Daniel Hull had not been taken in Execution, or discharged by Virtue of this Act. Liber H. S.  
No. I

And be it further Enacted, by the Authority aforesaid, That if any Action of Escape be brought against the Sheriff, or any Suit or Action against any Justice or Justices, for the performing their Office in Pursuance of this Act, he or they may plead the General Issue, and give this Act, and the special Matter, in Evidence, and if the Plaintiff be Nonsuit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs. [Actions of  
Escape.]  
p. 129

Provided also, That nothing in this Act shall extend, or be construed to extend, to bar any Creditor or Creditors of the aforesaid Daniel Hull, from having and maintaining any Action of Escape, against any Sheriff who hath permitted any Escape before the making of this Act. [Proviso.]

Provided nevertheless, That in Case the said Daniel Hull shall at any Time after taking such his Affirmation as aforesaid, be convicted of wilfully and corruptly affirming falsely, or of a wilful Breach or Noncompliance with the Tenor of such Affirmation as aforesaid, that then the said Daniel Hull, being convicted as aforesaid, shall, upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to be given him by this Act, and shall, from thenceforth, be liable to be prosecuted for any Debt or Demands whatsoever, in the same Manner as if this Act had never been made; any Thing to the contrary notwithstanding. [If perjur'd  
not to re-  
ceive any  
Benefit  
from this  
Act.]

Provided always, That the Sheriff of Talbot County shall be first paid his Imprisonment Fees, out of the Effects of the said Daniel Hull, before any Creditor or Creditors shall have any Share of his Effects, and if the Effects of the said Daniel Hull shall not be sufficient to satisfy the Sheriff his Imprisonment Fees, that then, the said Daniel Hull shall be obliged to satisfy and pay to the Sheriff the Residue of his Imprisonment Fees: Provided, That the said Sheriff shall not prosecute, detain or imprison, the said Daniel Hull within Three Years after his Release; any Thing in this Act contained to the contrary notwithstanding. [Sheriff's  
Fees to be  
first paid.]

17.<sup>th</sup> November 1753  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honble the Lord Pro-  
prietary of this Province  
I will this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

17 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

No. 34 An Act for the Relief of John Shubbard, a languishing Prisoner in Kent County Goal.

Liber H. S. No. 1 Whereas John Shubbard, of Kent County, by his humble Petition to this General Assembly, hath set forth, That he was arrested in [Preamble.] an Action of Debt, and imprisoned in Kent County Goal, for Want of special Bill, in the said Action, about Seven Years ago, which p. 130 Debt, with the Charges thereon accruing by lying in Goal, he has never been able to pay, and has lain in Goal ever since, and therefore humbly prayed Relief by an Act to be passed in his Favor: And for that the Truth of the said Petitioner's Allegations is made appear to this General Assembly, and that his being in Goal can be no Benefit to his Creditors, and that the said Petitioner hath given due Notice of his Intention to apply for Relief in the Premises: It is therefore humbly prayed that it may be enacted,

And be it Enacted, by the Right Honourable the Lord Proprietary, [John Shubbard to be discharged from Prison, on delivering up his Effects, on his Oath.] by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That unless all or any of the Creditor or Creditors of the said John Shubbard, or the Attorney of such Creditor or Creditors within this Province, shall, within Twenty Days after the End of this Session of Assembly, go to the Sheriff of Kent County aforesaid, and give good Security to pay the Imprisonment Fees that shall or may become due from the said John Shubbard, after the End of the said Twenty Days, and also, find the said John Shubbard sufficient Meat, Drink, and Cloathing, during his future Imprisonment; and in Case the said John Shubbard shall deliver up or surrender, or cause to be delivered up or surrendered, to the Sheriff of Kent County aforesaid, in the Presence of Two Justices of the Peace of the said County, whom the said Sheriff is hereby required to summon, on the Request of the said John Shubbard, at some convenient Time after the Receipt of this Act, not exceeding Five Days, all his real and personal Estate, either in Possession, Reversion, Remainder, or in Trust, or in, or unto which he hath any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriff of Kent County aforesaid, for the Use of his said Creditors, all such his Estate, Interest or Claim as aforesaid, after such Manner as by the said Sheriff, and by the major Part of such Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law, shall reasonably devise or require, at the Costs and Charges of the Persons who shall claim the Benefit thereof, so as the said John Shubbard be not burthened with any Warrantees thereby, other than from himself or those claiming by, from or under p. 131 him, and that the said John Shubbard, at the Time of his surrender and transferring his Estate as aforesaid, shall take his solemn Oath, before the said Two Justices of the Court aforesaid, to the Effect

following, viz. I John Shubbard do swear, That the Goods, Debts and Effects which I have delivered, assigned, and made over to the Sheriff of Kent County, and in Trust for the Use of my Creditors, is the whole Estate both real and personal of my own in Possession, or have any Title to in the World, and that I have not any Estate, Goods or Effects, of any kind whatsoever, left either in Possession, Reversion, or Remainder, (the necessary wearing Apparel for myself, Wife and Children, and working Tools excepted) and that I have not directly or indirectly, sold, leased, or otherwise conveyed, disposed of, or intrusted, all, or any Part of my Estate, thereby to defraud my Creditors, or to secure the same to receive or expect any Profit or Advantage thereof: So help me God. It shall and may be lawful for the Sheriff of the County aforesaid, after the End of the said Five Days, and the said Sheriff is hereby required to discharge the said John Shubbard out of his Custody, and suffer him to go at large.

*Liber H. S.  
No. 1*

[The Oath.]

And be it further Enacted, by the Authority aforesaid, That if the said John Shubbard, shall hereafter be imprisoned by Reason of any Judgment or Decree obtained for the Payment of any Debt, Damage or Cost, contracted, occurred, or occasioned, owing or growing due before the End of this Session of Assembly, upon every such Arrest, on any such Judgment or Decree, or for any such Debt, Damage or Cost, it shall and may be lawful for the Judge or Justices of the County Court where any such Process shall issue, upon shewing a Duplicate of the Discharge of the said John Shubbard, being so arrested, to Release and Discharge out of Custody the said John Shubbard, provided the said John Shubbard being so arrested, shall and do enter his Appearance, or procure some Attorney to appear to every such Action and plead thereto. Provided, That the Discharge of the said John Shubbard shall not acquit any other Person from such Debt, Damage or Cost, or any Part thereof, but that all such Persons shall be answerable for the same in such Manner as they were before the passing this Act.

[To be discharged from future Arrests on Appearance, &c.]

Provided always, and be it Enacted, by the Authority aforesaid, That notwithstanding the Discharge of the said John Shubbard, all and every Debt or Debts, due and owing from him, and all and every Judgment had, or Decree obtained, against him, shall stand and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements, and Hereditaments, Goods and Chattels, of him the said John Shubbard, and which he, or any other Person in Trust for his Use, had at the Time of his Discharge, or which he at any Time hereafter shall or may be seized or possessed of, or interested in, to his own Use, or in his proper Right, either in Law or Equity (except the Wearing Apparel and Bedding, or Working Tools, of him the said John Shubbard, not exceeding the Sum of Ten Pounds Current Money), and it shall and may be lawful for any of his

[Debts to stand good in Case, &c.]

Liber H. S. Creditors, their Executors, Administrators, and Assigns, to take  
 No. I out new Execution or Executions against the Lands, Tenements, or  
 other Hereditaments, Goods and Chattels, of the said John Shubbard  
 (except as before excepted), for the Satisfaction of his or their  
 Debts, in such Sort, Manner, and Form, as he or they might have  
 done, if the said John Shubbard had not been taken in Execution, or  
 discharged by Virtue of this Act.

[Actions of any Action of Escape be brought against any Sheriff, or any Suit or  
 Escape.] Action against any Justice or Justices, for performing their Office, in  
 Pursuance of this Act, he may plead the General Issue, and give this  
 Act and the Matter in Evidence; and if the Plaintiff be Nonsuit, or  
 discontinue his Action, or Verdict pass against such Plaintiff, or  
 Judgment upon Demurrer, the Defendant shall have and recover  
 his full Costs.

[Proviso.] Provided, That nothing in this Act shall extend, or be construed  
 to extend, to bar any Creditor or Creditors of the aforesaid John  
 Shubbard, from having and maintaining any Action of Escape  
 against any Sheriff, who hath permitted any Escape, before the  
 making of this Act.

[If perjur'd at any Time after making such his Oath or Oaths, as aforesaid,  
 not to re- be convict of wilful and corrupt Perjury thereupon, or of a wilful  
 Benefit from Breach or Non-compliance with the Tenor of such Oath, that then  
 this Act.] the said John Shubbard, being convict as aforesaid, shall, upon such  
 Conviction as aforesaid, be wholly deprived of any Benefit intended  
 to him by this Act, and shall from thenceforth be liable to be prose-  
 cuted for any Debt or Demand whatsoever, in the same Manner as  
 if this Act had never been made; any Thing to the contrary not-  
 withstanding.

[Sheriff's Fees to be satisfied always, That the Sheriff of Kent County, shall be first  
 first paid.] Prisoner, before any Creditor or Creditors, shall have any share  
 of the Prisoner's Effects, and if the said Prisoner's Effects shall not  
 be sufficient to satisfy the Sheriff his Imprisonment Fees, that then  
 the said John Shubbard shall satisfy and pay to the Sheriff, the  
 Residue of his Imprisonment Fees: Provided, That the said Sheriff  
 shall not prosecute, detain, or imprison, the said John Shubbard,  
 within Three Years after his Release; any Thing in this Act  
 contained to the contrary notwithstanding.

p. 133

17th November 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly

Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Hon<sup>ble</sup> the Lord Pro-  
 prietary of this Province  
 I will this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
 Wax Appendant

17 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly

Signed p Order  
 J. Ross Cl Up Ho.



No. 35 A Supplementary Act to the Act entituled, An Act for the Relief of Creditors in England against Bankrupts, who have imported any Goods into this Province, not accounted for. Liber H. S.  
No. I

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That no Assignment, Assurance, Conveyance, Deed, or any other Writing whatsoever of any Goods, Chattels, Effects, Debts, Lands, Tenements, or Hereditaments whatsoever, that shall at any Time hereafter be made or executed, by any Person or Persons trading, or that shall hereafter trade to this Province, and that shall reside in Great-Britain, or elsewhere out of this Province, at the Time of making or executing such Assignment, Assurance, Conveyance, Deed, or other Writing whatsoever, shall be of any Force, Virtue, or Effect, at Law, or in Equity, until the Person or Persons to whom such Assignment, Assurance, Conveyance, Deed, or other Writing whatsoever, shall be made or executed, or his or their Agent or Agents, Attorney or Attorneys in Fact, or such other Person or Persons who shall act by Commission or Direction from him or them, shall give his Bond or Obligation, with such Security therein, as shall be approved of and determined by the Chancellor of this Province, for the Time being, to pay and satisfy all and every the Debt and Debts, which such Person or Persons, making or executing such Assignment, Assurance, Conveyance, Deed, or other Writing, shall or may owe at the Time of entering into such Bond or Obligation as aforesaid, to all and every Person or Persons, living or residing or that shall live or reside, within this Province, so far forth, as the Goods, Chattels, Effects, Debts, Lands, Tenements, or hereditaments, shall come to the Hands or Possession of such Agent or Agents, Attorney or Attorneys, or other Person or Persons, acting by Commission or Direction as aforesaid. [Assignment  
of Good, &c.  
by Persons  
trading to  
this Prov-  
ince, &c.]

And be it further Enacted, That such Bond or Obligation to be entered into for the Purpose aforesaid, shall be lodged with the Register of the Court of Chancery of this Province, for the Time being, to be by him kept and preserved among the Records and Proceedings of the said Court; and that every Creditor, living and residing within this Province, of such Person or Persons, making or executing such Assignment, Assurance, Conveyance, Deed, or Writing, as aforesaid, if he shall think fit, shall or may make Application to the Chancellor of this Province, for the Time being, for the Assignment of such Bond or Obligation to be entered into as aforesaid, and shall or may put the same Bond or Obligation in Suit against such Person or Persons, to whom such Assignment, Assurance, Conveyance, Deed, or Writing, shall be made or executed, and his or their Securities, if need be, in any Court of Record within this Province, for any Neglect or Refusal to pay or satisfy unto such [Bond to be  
lodged in the  
Chancery  
Court.]  
p. 134

Liber H. S. Creditor, such Sum or Sums of Money, or Tobacco, as shall or may  
 No. I be due unto him from such Person or Persons, who shall make or  
 execute such Assignment, Assurance, Conveyance, Deed, or Writing,  
 at the Time when such Bond or Obligation shall be entered into as  
 [Proviso.] aforesaid. Provided always, That no such Bond or Obligation, to be  
 given as aforesaid, shall be good and pleadable, or admitted in Evi-  
 dence against any Person or Persons after the Debt, or Thing in  
 Action, shall be above Three Years standing: Saving to all Persons  
 that shall be under the Impediments of Infancy, Coverture, Insanity  
 of Mind, Imprisonment or beyond Sea, the full Benefit of all such  
 Bonds or Obligations, for the Space of Three Years, after such  
 impediment removed.

This Act to continue for Three Years, and unto the End of the  
 [Continu- next Session of Assembly, which shall happen after the Expiration  
 -ance.] of the said Three Years.

17<sup>th</sup> November 1753  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Pro-  
 vince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

the great seal in  
 Wax Appendant

17 Novem.<sup>r</sup> 1753  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

No. 36 An Act for securing and recovering the Money therein mentioned.

[Preamble.] Whereas it appears to this General Assembly, that several large  
 and considerable Sums of Money have heretofore been received,  
 by sundry Sheriffs within this Province, on Account of Ordinary  
 Licenses, and for the Use of the Public, which yet remain due from,  
 and unpaid by, such Sheriffs, and that it is apprehended, that in  
 Case of Suits brought against such Sheriffs, the Length of Time  
 since the Receipt of such Money may be a Bar to such Suits: To  
 prevent which, it is prayed that it may be enacted,

p. 135 And be it Enacted, by the Right Honourable the Lord Proprietary,  
 by and with the Advice and Consent of his Lordship's Governor,  
 and the Upper and Lower Houses of Assembly, and the Authority of  
 the same, That in any Action or Actions to be commenced upon any  
 Sheriff's Bond, within this Province, or Scire facias to be prosecuted  
 upon any Judgment on such Bond, for Money or Tobacco, heretofore  
 received by such Sheriff, on Account of Ordinary Licenses, and for  
 the Use of the Public of this Province, such Sheriff, and his Heirs,  
 Executors, and Administrators, shall not be intituled to, or have,

[Act of  
 Limitation  
 not to be  
 pleaded on  
 Sheriffs  
 Bonds.]

any Benefit or Advantage of any Act or Acts of Limitation; any Law to the contrary notwithstanding. Liber H. S.  
No. I

17.<sup>th</sup> November 1753  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

17 Novem.<sup>r</sup> 1753  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

No. 37 An additional Supplementary Act to the Act entituled, An Act for emitting and making Current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit.

Whereas the late Right Honourable Charles Lord Baltimore, Proprietor of this Province, by an Act entituled, An Act for emitting and making Current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit, had the Trust and Care of superintending and directing the Conduct of the Trustees in London, mentioned in the said Act, or to be thereafter appointed, which Trustees were by that Act directed to take his Lordship's Instructions, in all Matters relating to the purchasing Bank Stock, and all other Matters relating to the Transactions therein directed; and whereas, by the Death of his Lordship, the purchasing of Bank Stock, and other Proceedings of the said Trustees, may be retarded, this General Assembly, in full Hopes and Confidence of the Honour, Integrity, and Good-Will of his present Lordship, to his Tenants of this Province, humbly request his Lordship to accept of the Trust, Power and Authority, so by the said Act lodged in his Noble Father, and likewise humbly pray that it may be enacted: [Preamble.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, the Right Honourable Frederick Lord Baron of Baltimore, Lord and Proprietary of the Provinces of Maryland and Avalon, shall be, and he is hereby, invested with all and singular the Powers and Authorities in the said Act entituled, An Act for emitting and making Current Ninety Thousand Pounds, Current Money of Maryland, in Bills of Credit, given to his late Lordship the Right Honourable the Lord Proprietary of this Province.

[The Lord Proprietor invested with the same Power relating to the Paper Currency as his Noble Father.]  
p. 136

17.<sup>th</sup> November 1753.  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

17 Novem.<sup>r</sup> 1753.  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

- No. 38 An Act for the speedy and effectual Publication of the Laws of this  
 Liber H. S. Province; and for the Encouragement of Jonas Green, of the City  
 No. I of Annapolis, Printer.

Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 [20l. in each and with the Advice and Consent of his Lordship's Governor, and  
 County to be levied the Upper and Lower Houses of Assembly, and the Authority of  
 annually for the same, That the Justices of the several and respective County  
 Jonas Green, Courts within this Province shall, and they are hereby impowered and  
 for his print- directed, to make an Allowance of Twenty Pounds, Current Money  
 ing Laws of this Province, to the said Jonas Green, in the Levy to be laid for  
 and Votes.] of each respective County after this present Session of Assembly; and  
 that the said Twenty Pounds (with the Sheriff's Commission for  
 collecting the same) so to be allowed and assessed as aforesaid, shall  
 be collected by the Sheriff of each respective County, and yearly  
 paid by them respectively, free from all Charges of Collection, to  
 the said Jonas Green, or his Order, for Printing, Stitching, Covering  
 with Marble, Blue Paper, Vellum, or Parchment, and Delivering a  
 Copy of the Public Laws, made this present Session of Assembly,  
 by the First Day of March next, and the Votes and Proceedings of  
 the Lower House of Assembly of this present Session, by the First  
 Day of April next, and also a Copy of the Laws of any future  
 Session, within Three Months, and of the Votes and Proceedings of  
 the Lower House of Assembly, within Four Months respectively,  
 after the End of every such Session yearly, during the Continuance  
 of this Act, to the Governor and each Member of the Upper and  
 Lower Houses of Assembly, and One Book of the Votes and Pro-  
 ceedings to the Clerk of each House, and Three Books of the Votes  
 and Proceedings aforesaid, to the Clerks of the several and respec-  
 tive County Courts, for the Perusal of the Inhabitants of the several  
 and respective Counties, and a Copy of the Public Laws, during the  
 Continuance of this Act, to every Provincial and County Magistrate:  
 and a Copy of each Law bound up in Leather to each House of  
 Assembly, the high Court of Appeals, the Provincial Court, and to  
 each County Court within this Province.

And be it likewise Enacted, That if it should so happen, that in  
 any Year during the Continuance of this Act, there should not be  
 [If no Ses- any Session of Assembly held within this Province, whereby the said  
 sion, 15 Jonas Green may be enabled to print Laws, and deliver them within  
 Pounds.] such Year, that then and in such Case, the said Justices of each  
 respective County shall nevertheless, and they are hereby directed  
 and required to levy the Sum of Fifteen Pounds Current Money,  
 free from Deduction, in each respective County, to be paid by the  
 Sheriffs of the several Counties respectively, to the said Jonas Green,  
 or his Order, for his better Support and Encouragement in serving  
 this Province, and residing within the same: For the Collection and  
 Payment of which, or any other Sum or Sums herein before men-

tioned, there shall be allowed to the said Sheriffs respectively a Commission of Five Pounds Per Centum, and no more. Liber H. S.  
No. I

Provided always, That the said Jonas Green shall actually reside at Annapolis during the Continuance of this Act, and comply with the Terms thereof; and that upon the Death of the said Jonas Green, or his Removal from Annapolis, or ceasing to comply with the Terms of this Act on his Part, the Payment of the Sums of Money directed by this Act to be paid to him shall cease; any Thing contained in this Act to the contrary notwithstanding. [Proviso.]

And be it likewise Enacted, That the Copy of the Public Laws made this present Session of Assembly, as well as those made at any future Session during the Continuance of this Act, shall have marginal Notes made and printed thereto, as also the Date of the Year, wherein such Laws were respectively made, inserted in each Page; and a List of such Laws made at the End of each Session, with the Page where they are printed: All which the said Jonas Green is hereby required and obliged to do, as well as all other Services herein before mentioned, for the yearly Salary aforesaid. [Laws to  
have marginal  
Notes.]

Provided always, and be it hereby Enacted, That it shall and may be lawful for the taxable Inhabitants of this Province, upon whom the above Sums of Money shall be assessed, to discharge and pay the same in Gold and Silver, at the same Rates as by the Act entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, made at this present Session of Assembly, Gold and Silver is directed to be received in all Payments made in Virtue of that Act. [Proviso.]  
p. 138

Provided also, That it shall and may be lawful for the Sheriffs of the several Counties respectively, and they are hereby required not to pay to the said Jonas Green the said Sum of Money mentioned in this Act or any Part thereof, to be assessed and levied for his Use, unless it shall be made appear to them by a Certificate from the Clerk of the respective County, (which Certificate shall be given by the Clerk without Fee or Reward,) that the Public Laws, and the Votes and Proceedings of this present Session, and every future Session during the Continuance of this Act, were printed and delivered in Manner and Form, and within the Time by this Act respectively directed; any Thing herein before contained to the contrary in any wise notwithstanding. [County  
Clerks to  
give Certifi-  
cates of  
their being  
delivered.]

And whereas it is thought expedient that each Inspection Office, and Vestry, within this Province, be furnished with Laws relating to the Inspection of Tobacco, the better to enable them to know and perform the Duty thereby required: Be it further Enacted, That for the annual Allowance by this Act made and provided for the said Jonas Green, he be hereby further obliged, and it be deemed Part of [Inspections  
& Vestries  
to be fur-  
nished with  
the Laws.]

Liber H. S. his Duty, to print, stitch, and deliver to the Clerks of the respective  
 No. I Counties, by the First Day of April next, to be by them delivered to  
 each Vestry, and to the Inspector of Inspectors of each Inspecting  
 Office within their Counties respectively, as well the Law made this  
 present Session of Assembly entituled, An Act for amending the  
 Staple of Tobacco, for preventing Frauds in his Majesty's Customs,  
 and for the Limitation of Officers Fees, as all and every Law and  
 Laws relating to the Inspection of Tobacco, which shall be made at  
 any future Assembly during the Continuance of this Act.

And be it likewise Enacted, That the several and respective Sheriffs  
 within this Province shall, and they are hereby directed and required  
 [Laws & Votes to go as Public Letters.] to receive and forward the said Laws, with the Votes and Proceed-  
 ings aforesaid, to the Clerks of the several County Courts, and the  
 Members of each House of Assembly, as other Public Letters are by  
 the Laws of this Province directed to be forwarded.

p. 139 This Act to continue until the Twentieth Day of December, which  
 [Continu- shall be in the Year One Thousand Seven Hundred and Fifty Five.  
 ance]

17.<sup>th</sup> November 1753.  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p. Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Prov-  
 ince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

the great seal in  
 Wax Appendant

17 Novem<sup>r</sup> 1753.  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p. Order  
 J. Ross Cl Up Ho.

I hereby certifie that Richard Burdus Clerk of the Provincial  
 Court and of the Secretarys office of the Province of Maryland this  
 Day personally appeared before me the Subscriber One of the Right  
 Honourable the Lord proprietary of the Province aforesaid his Coun-  
 cil of State and made Oath on the Holy Evangels of Almighty God  
 that he Carefully Examined all the Laws contained in this Book  
 Beginning at Folio one and Ending at Folio one Hundred Thirty  
 Nine with the original Acts that passed the Great Seal

Sworn to this ffourth day of May Anno Dom 1754

Bend<sup>t</sup> Calvert



The Seal of the Provincial Court is hereunto affixed on  
 Behalf of Edmund Jennings Esq.<sup>r</sup> Deputy Secretary of  
 Maryland

ᵕ R. Burdus Clk Sec.<sup>rys</sup> off. & Pvin<sup>l</sup> Co.<sup>t</sup>

PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, February 26–March 9, 1754.  
Being the Fourth Session of the Assembly Elected in 1751.*

FREDERICK CALVERT, LORD BALTIMORE,  
*Lord Proprietary.*

HORATIO SHARPE,  
*Governor.*





# PROCEEDINGS

## OF THE

### UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the 26.<sup>th</sup> Day of February in the third year of his Lordships Dominion Annoque Domini 1754.

U. H. J.  
Liber No. 34  
1754, February 26

Present

p. 480

His Excellency Horatio Sharpe Esq.<sup>r</sup> Governor

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	}	Co <sup>t</sup> Benjamin Tasker
		Co <sup>t</sup> George Plater		Benedict Calvert Esq. <sup>r</sup>
		Co <sup>t</sup> Charles Hammond.		

Mess<sup>rs</sup> Goldsborough and Harrison from the Lower house acquaint his Excellency that there is a sufficient Number of Members met to make a House and wait his Excellencys Commands.

Co<sup>t</sup> Plater is Sent to the Lower house to acquaint the Speaker that his Excellency requires their immediate attendance in the Upper house.

The Lower house Attend and his Excellency is pleased to make the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly.

The possibility of your undergoing any inconveniences from being convened at this early Season would have determined me against meeting you so soon had not the Receipt of a Letter from the Governor of Virginia made me Apprehensive the Welfare of this and the neighbouring Colonies might Suffer from any longer delay. [See pages 408-411.]

Alarmed at the Prospect of Seeing our common Enemy Masters of all the Country adjacent to the Inhabited parts of these Provinces his Majestys Faithful Subjects in Virginia Sollicit our Aid to defeat their ambitious Enterprize; in the Event of which I am persuaded you will think this Province too much interested not to exert themselves on this Occasion. Lest my enlarging on the many obvious Motives which must incite you to answer our neighbours expectations should be construed to imply suspicion, for which your late Address on the Earl of Holdernesses Letter leaves not the least Room, I shall only communicate to you the Letters which I have Received from his Majestys Governors on the Continent respecting this Affair and also one from the Lords of Trade, whereby we as well as the other Colonies are required to Send Commissioners to

U. H. J. Albany this Summer with a present to the Indians as a means of  
 Liber No. 34  
 February 26

Securing the Affections of those People at this critical Juncture, when their being alienated from the English Interest would threaten us with the most fatal Consequences; Your Results on these Several Letters, I have the most Sanguine hopes, will give the Strongest Testimony of your Zeal for his Majestys Service & demonstrate you to be truly Guardians of the Interest Safety and Honour of your Constituents. [See pages 411-413.]

Adjourned till to Morrow Morning Ten of the Clock

February 27

Wednesday Morning 27 February 1754.

This house met again according to Adjournment

Present as yesterday with the Addition of Richard Lee Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

February 28

Thursday Morning 28th February 1754.

This house met again according to Adjournment

Present as Yesterday

Benjamin Tasker Esq.<sup>r</sup> attended by the Members of this house presents to his Excellency their Address which follows in these words.

To his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor and Commander in Chief in and Over the Province of Maryland

The Humble Address of the Upper house of Assembly.

May it Please your Excellency

We return you our unfeigned thanks for your Speech to both Houses of Assembly at the Opening of this Session

We are convinced nothing would have determined your Excellency to have called us together at this Early Season but your Zeal for his Majestys Service and the real Concern your Excellency has for the Safety and Protection of his Subjects We therefore assure your Excellency that we shall with the greatest Chearfulness Submit to any Inconveniency that may happen if our Consultations prove in any Measure Conducive to the publick good.

The Incroachments of the French and their Depredations on his Majestys Lands and the Suffering of Our fellow Subjects give us the greatest alarm and we should think ourselves wanting in our duty to his Majesty and our Country should we not give all the Assistance in our power to repell the common Enemy and as one Step towards it will be to Secure the affections of the Indians at this critical Juncture We shall readily concur to what is necessary towards attaining so desireable an End

U. H. J.  
Liber No. 34  
February 28

Benj.<sup>a</sup> Tasker Presid.<sup>t</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again According to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

p. 482

Friday Morning 1 March 1754

March 1

This house met again according to Adjournment

Present as Yesterday

The Governor is pleased to communicate his Answer to the Address of this house which answer is as follows.

Gentlemen of the Upper house of Assembly

I thank you very kindly for your Address and am well pleased to See your concern for the publick good make you Submit with the Greatest alacrity to any inconveniencies for an Opportunity of giving proof of a most Laudable Zeal for our Sovereign & the Publick Service.

Hor.<sup>o</sup> Sharpe

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.<sup>rs</sup> Tilghman and Edmonson Entituled an Act for his Majestys Service thus Endorsed

By the Lower house of Assembly 1 March 1754.

Read the first and Second Time by an Especial Order & will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

U. H. J.  
Liber No. 34  
March 2

Saturday Morning 2.<sup>d</sup> March 1754.

This house met again according to Adjournment

Present as yesterday with the Addition of Co<sup>t</sup> Edward Lloyd,  
Except Co<sup>t</sup> Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

March 4

Monday Morning 4 March 1754

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	}	Co <sup>t</sup> Benjamin Tasker
		Co <sup>t</sup> George Plater		Richard Lee Esq. <sup>r</sup>
		Co <sup>t</sup> Charles Hammond		Benedict Calvert Esq. <sup>r</sup>
		Co <sup>t</sup> Edward Lloyd		

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

p. 483

Adjourned till to Morrow Morning ten of the Clock

March 5

Tuesday Morning 5 March 1754

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 6 March 1754

U. H. J.  
Liber No. 34  
March 6

This house met again according to Adjournment

Present as yesterday Except Cof Hammond

Read the Petitions of George Gordon praying a Bill may be brought in to impower the Justices of Frederick County to levy One hundred and Eighteen pounds to enable him to pay the said Sum to the Commissioners of the Paper office which by mistake he paid to the Justices of the said County, Referred to the Consideration of the Lower house and Sent by Benedict Calvert Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time the Bill Entituled an Act for his Majestys Service and will pass with the following Amendments, Leave out— all that part of the Bill after the words, Negotiation aforesaid, in the 3<sup>d</sup> and 4.<sup>th</sup> Lines of the 2<sup>d</sup> Page to the words, and for the, in the 6.<sup>th</sup> Line of 7<sup>th</sup> Page leave out the words, and this present Act, in the 13<sup>th</sup> Line of 8.<sup>th</sup> page and incert the following, and untill the Sum of five hundred pounds in this Act mentioned to be paid for the Purposes af.<sup>d</sup> be also replaced, in the 16 Line of the same Page leave out the words, and this present Act, in the first-line of the last Page leave out the words, and this Act, Sent to the Lower house by Richmond Lee Esq.<sup>r</sup>

A Bill from the Lower house by Mess.<sup>rs</sup> Hamilton and Pierce Entituled a Supplementary Act to the Act Entituled an Act for amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for the Limitation of Officers fees thus Endorsed

By the Lower house of Assembly 5 March 1754.

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 6 March 1754

Read the Second time and will pass

Signed p Order M Macnemara Ct Lo H

Read the first time in this house & Ordered to lye on the Table.

Adjourned till to Morrow Morning ten of the Clock.

p. 484

Thursday Morning 7 March 1754

March 7

This house met again according to Adjournment

Present as yesterday with the Addition of Cof Hammond

A Bill from the Lower house by Mess.<sup>rs</sup> Handy and Oldham Entituled an Act Impowering the Justices of Frederick County Court

U. H. J. to levy on the Taxable Inhabitants of the said County a sum of Cur-  
rent Money for the Uses therein mentioned thus Endorsed  
Liber No. 34  
March 7

By the Lower house of Assembly 7.<sup>th</sup> March 1754.

Read the first and Second Time by an Especial Order & will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table.

Read the Petition of Several Persons Inhabitants of Worcester County praying that a Bill may be brought in to Prevent Persons Stopping Broad Creek from the Bridge to the Landing commonly called by the Name of the Shingle Landing Referred to the Consideration of the Lower house and Sent by Col Hammond.

A Message from the Lower house by Doctor Carroll and five Others with the Bill entituled an Act for his Majestys Service

By the Lower house of Assembly 7 March 1754

May it please your Honours

We have considered the Amendments proposed by Your Honours the Bill Entituled an Act for his Majestys Service and cannot agree to them but as we are Sensible of how great Importance it is at this Juncture to Cultivate a Strict freindship and Alliance with the Six Nations of Indians by making them Suitable Presents, and are fully persuaded that the ways and Means fallen upon to Replace the Money taken out of the Loan Office for that Purpose are just & Reasonable and least burthensome to our Constituents we have thought proper to return that Bill in hopes your Honours will pass it as it now Stands: and this we have Reason to expect when we consider that last Sessions your honours would have consented to a Bill for Licensing Hawkers & Pedlars in the Terms of the present Bill relating thereto had the License Money and Fines and Forfeitures been appropriated to the Lord Proprietary, and how reasonable it may be now to reject that part because the License Money Fines and Forfeitures are appropriated towards the replacement of a Sum of Money raised for his Majestys Service we Submit to your Honours Serious Consideration.

As the great arrears on the Ordinary Licenses cannot be Satisfied in Several years it is apparently necessary that other Expedients should be fallen upon in aid of that Act for this purpose the part of the Bill now proposed by your honours to be left out, was inserted and as it is in itself useful and Beneficial to the Country, and has  
p. 485 appeared in that light to your Honours we cannot conceive what reasonable objection can now be made to it, We have the present Service much at heart and cannot doubt your Honours are equally Sollicitous about it therefore Rest assured of your Concurrence to a Bill so plainly calculated for the Service of his Majesty and the Ease and Benefits of the People of this Province

Signed p Order M Macnemara Ct Lo H.

Read the Second Time the Bill Entituled a Supplementary Act to the Act entituled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees, and will pass, the last clause being omitted, Sent to the Lower house by Co<sup>t</sup> Tasker.

U. H. J.  
Liber No. 34  
March 7

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The following Message with the Bill entituled an Act for his Majestys Service is sent to the Lower House by Colonel Hammond.

By the Upper house of Assembly 7 March 1754

Gentlemen

We are as desirous that a present may be made to the Indians to Cultivate their friendship at this Juncture and to do every thing in our power for his Majestys Service as you can be, and therefore passed the Bill entituled an Act for his Majestys Service with the application of the Money on the Ordinary License Law, which would Replace it in a very Short time and we having now reconsidered the said Bill cannot in another manner pass the same.

Signed p<sup>r</sup> order John Ross C<sup>t</sup> Up H.

An Engrossed Bill from the Lower house by Mess.<sup>rs</sup> Lee & Williamson Entituled a Supplementary Act to the Act Entituled an Act for Amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for the Limitation of Officers fees thus Subscribed.

7 March 1754.

Read and assented to by the Lower house of Assembly

Signed p<sup>r</sup> Order M Macnemara C<sup>t</sup> Lo H.

Read and assented to by this house & Ordered to be so Subscribed the Paper Bill so Endorsed is Sent to the Lower house by Rich<sup>d</sup> Lee Esq.<sup>r</sup>

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 8 March 1754

March 8

This house met again according to Adjournment

Present as Yesterday except Co<sup>t</sup> Hammond

Read the Second time the Bill Entituled an Act Impowering the Justices of Frederick County Court to levy on the Taxable Inhabitants of the said County a Sume of Current Money for the uses therein

U. H. J. mentioned and will pass Sent to the Lower house by Colonel Lloyd  
 Liber No. 34 The Engrossed Bill is brought from the Lower House by Mess.<sup>rs</sup>  
 p. 486 Hawkins and Falconar thus Subscribed

March 8

8th March 1754

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house and Ordered to be so Subscribed. The paper Bill Endorsed is Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

\* This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

March 9

Saturday Morning 9th March 1754

This house met again according to Adjournment

Present as Yesterday with the Addition of Col. Hammond.

George Plater Esq.<sup>r</sup> is Sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower house in the Upper House to See the Laws passed both houses this Session Receive the assent

The Lower house attend and by their Speaker present to his Excellency the two following Bills viz.<sup>t</sup>

A Supplementary Act to the Act entitled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees

An Act empowering the Justices of Frederick County Court to Levy on the Taxable Inhabitants of the said County a Sum of Current Money for the uses therein mentioned

Both which his Excellency passed into Laws in the usual form by Sealing them with the Right honourable the Lord Proprietarys great Seal at Arms and Subscribing on behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law

After which his Excellency was pleased to Conclude this Session with the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly

I cannot sufficiently express to you my great Concern at our having put the Country to a very considerable Expence without doing the Business, which I conceived duty prudence and good Policy obliged



me so earnestly to recommend and I hope the Behaviour of all the neighbouring [Colonies] on the same Occasion, will justify my Conduct in this affair. But to Shew how averse I am to have the publick Debt increased without a prospect of Advantaging our Country and how uneasy I am at the thoughts of detaining you against your Inclinations I have with the Advice of his Lordships Council of State thought fit to prorogue this Assembly to Wednesday the first day of May next and you are to take Notice you are prorogued to that day accordingly

U. H. J.  
Liber No. 34  
March 9

p. 487

Thus Ends this Session of Assembly begun and held at the City of Annapolis the Twenty Sixth day of February and Ending the Ninth day of March following in the third year of his Lordships Dominion and in the Twenty Seventh year of his Majestys Reign Annoq. Domini 1754.

J Ross Ct Up H

# PROCEEDINGS

## OF THE

### LOWER HOUSE OF ASSEMBLY

**L. H. J.** At a Session of Assembly held at the City of Annapolis, on Tuesday the 26th Day of February, in the Year of our Lord God 1754, and in the Third Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. (His Excellency Horatio Sharpe, Esq; being Governor,) appeared in the Lower House of Assembly;

Liber No. 47  
1754, February 26  
p. 379

The Honourable Phillip Hammond, Esq; Speaker;

For St. Mary's County,

Mr. Zachariah Bond,  
Major Abraham Barnes,  
Mr. James Mills,  
Mr. Philip Key.

For Baltimore County,

Mr. William Govane,  
Mr. Lloyd Buchanan,  
Mr. John Paca.

For Cæcil County,

Mr. Nicholas Hyland,  
Mr. Benjamin Pearce,  
Mr. Michael Earle.

For Kent County,

Mr. Richard Gresham.

For Anne Arundel County,

Doctor Charles Carroll,  
Major Henry Hall,  
Capt. John Gassaway.

For Prince George's County,

Capt. John Addison,  
Mr. William Murdock,  
Mr. George Frasier,  
Mr. John Hawkins.

For Calvert County,

Mr. James John Mackall,  
Mr. Benjamin Mackall,  
Mr. Thomas Reynolds,  
Mr. Edward Gantt.

For the City of Annapolis,

Mr. Walter Dulany,  
Dr. Alexander Hamilton.

For Queen Anne's County,

Capt. William Hopper,  
Mr. John Tillotson.

For Charles County,

Mr. John Stoddert,  
Mr. Bayne Smallwood,  
Col. Richard Harrison.

For Worcester County,

Capt. John Evans,  
Col. John Scarborough.

For Talbot County,

Mr. John Goldsborough,  
Mr. Edward Oldham,  
Mr. Pollard Edmunson,  
Mr. Matthew Tilghman.

For Frederick County,

Daniel Dulany, Esq;  
Capt. Henry Wright Crabb,  
Mr. Joseph Chapline,  
Mr. Nathan Magruder.

L. H. J.  
Liber No. 47  
February 26

A sufficient Number of the Members of the Lower House of Assembly being convened at the Stadt-House, Ordered, That Col Harrison and Mr. John Goldsborough do acquaint his Excellency the Governor therewith.

They return and acquaint Mr. Speaker they delivered the Message.

George Plater, Esq; from the Upper House, acquaints Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and (attended by the Members of the Lower House) went to the Upper House; where his Excellency made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

The Possibility of your undergoing any Inconveniences from being convened at this early Season, would have determined me against meeting you so soon, had not the Receipt of a Letter from the Governor of Virginia, made me apprehensive, the Welfare of this and the neighbouring Colonies might suffer from any longer Delay.

Alarmed at the Prospect of seeing our common Enemy Masters of all the Country adjacent to the inhabited Parts of these Provinces, his Majesty's faithful Subjects in Virginia, solicit our Aid to defeat their ambitious Enterprize; in the Event of which, I am persuaded, you will think this Province too much interested not to exert yourselves on this Occasion. Lest my enlarging on the many obvious Motives, which must incite you to answer our Neighbours Expectations, should be construed to imply a Suspicion, for which your late Address on the Earl of Holderness's Letter, leaves not the least Room, I shall only communicate to you the Letters which I have received from his Majesty's Governors on the Continent, respecting this Affair, and also one from the Lords of Trade, whereby we, as well as the other Colonies, are required to send Commissioners to Albany this Summer, with a Present to the Indians, as a Means of securing the Affections of those People at this critical Juncture, when, their being alienated from the English Interest, would threaten us with the most fatal Consequences. Your Results on these several Letters, I have the most sanguine Hopes, will give the strongest Testimony of your Zeal for his Majesty's Service, and demonstrate you to be truly Guardians of the Interest, Safety, and Honour of your Constituents.

L. H. J. His Excellency delivered to M.<sup>r</sup> Speaker the following Papers—  
 Liber No. 47 viz.<sup>t</sup>  
 February 26

W.<sup>ms</sup>burg Virg.<sup>a</sup> Jan.<sup>ry</sup> 29<sup>th</sup> 1754.

Sir

Your kind assurances of Cooperating with me in the Common Cause for his Majesty's Service gave me Such pleasure as a Zeal like that which Inspired them ought to give And I now Address your Excellency the more chearfully As I am perswaded of your Promptitude to contribute Effectually to it. The Progress of the French & their avowed Designs make it necessary for me to apply for your  
 p. 381 Assistance and that the Men you can furnish may join our people as early as possible in March at a place Called Wills Creek on the head of Potowmack which I have Chosen for the Rendezvous believing it to be the most convenient to all His Colonies of any that is near the Scene of Action the French have fortified themselves on Lake Erie on a Branch of the Ohio And have 220 Canoes ready made and great many more blocked out and everything in Readiness to execute their Designs of sailing down the River When the Waters Serve in the Spring and Building Forts [at] every place of Consequence. The Fort my Messenger was at mounted Eight pieces of Cannon Six Pounders & was garrisoned with 150 Men and they have already Engaged the Chippoways, Ottoways and Orundacks to take up the Hatchett against the English and themselves have Seized the effects of his Majestys Subjects who were Settled thereof made Prisoners of their persons, how they justify this Conduct Your Excellency will See by the Inclosed Letter from their Commandant to me.

I think it would conduce very much to the Success of the Service that the Command should be Undivided and therefore I should be very glad of your Concurrence with my Sentiments and that the men you furnish might be put under the Command of my General officer I expect to meet our Assembly that 14<sup>th</sup> of next Month when I hope to be enabled to enter on more Vigorous Measures—at present I have ordered out a Detachment from the Militia to Cover the Works that are Carrying on at our Fort on the Ohio and Shall with all Dispatch furnish them with the Stores and other Necessaries for it's Completion; But as the French intend to be on the Ohio early in the Spring with a greater Force than they had in the Fall which then consisted of 1500 Men it will be of the last Consequence to have a Sufficient Strength there early to oppose them and the present Temper of the Indians increases the necessity as they Seem to defer Coming to Action till they See Us at their Backs to Support 'em and I am perswaded that they then will act honestly & Effectually, otherwise it is apparent to me that they Will be lost to the British Interest as their Scituation & the Genius of that People will lead them to Join with the Strongest Side,

Sir,

Since Writing the above I Received yours of the 26.<sup>th</sup> December and am mighty glad of the hopes you have that your Assembly will Enable you to raise men for the Support of his Majesty's Undoubted Right to the Lands on the Ohio, and at the Same Time to protect those Colonies from the Insolence of those that want to disturb our peace, An Answer to this by the Bearer will greatly Oblige

Your Excell<sup>y</sup>

most Obed<sup>t</sup> hum<sup>ble</sup> Serv<sup>t</sup>

Rob<sup>t</sup> Dinwiddie

L. H. J.  
Liber No. 47  
February 26

The following is the Letter from the French Commandant as p. 382 translated viz.<sup>t</sup>

Sir

As I have the Honour to Command here in Chief [here] M<sup>r</sup> Washington delivered me the Letter which you wrote to the Commander of the French Troops it would have afforded me great Pleasure if you had given him Orders or that he had himself been inclined to have proceeded to Canada to See our General to whom it belongs more properly than to me to put in a clear Light the Evidence and Reality of the Rights of the King my Master to the Lands Situated on Belle River and to contest the Pretensions of the King of great Britain in this Respect.

I am going to address your Letter to Monsieur the Marquis Duquisne whose Answer shall be a Law to me, And if he Orders me to communicate it to you, I Can assure you Sir I will not Neglect to Transmit it to you with all possible Expedition.

As to the Summons you have given me to withdraw I do not think myself under any Obligation to Submit to it, whatever your Instructions may be, I am here in Virtue of the Orders of my General, and I beseech you Sir not Entertain the least Doubt of my Constant Resolution to conform to them with all the Exactness & firmness becoming a Better officer.

I do not know that in the Course of this Campaign any Thing has happened Which can be construed an Act of Hostility or Contrary to the Treaties Which Subsist between the Two Crowns, the Continuance of which Concerns as much and is as Agreeable to Us as to the English.

If you had been pleased Sir, upon this Occasion to have entered into a particular Detail of the Facts which are the Motives to your Complaint I Should have had the Honour of Answering you in the most positive manner and I am perswaded that you would have had Room to have been Satisfied.

I have made it a particular Duty to receive M<sup>r</sup> Washington with that Distinction that is Suitable to your Dignity and to his own Rank and great Merit, I flatter myself that he will do me the Justice

L. H. J. to Acknowledge this to you And that he will inform you As well  
 Liber No. 47 as I of the profound Respect with which I am  
 February 26

Sir,

Your Very humble

&

Very obedient Ser<sup>t</sup>

From the ffort of the River

Legardeur De st. Pierre.

au Beuf 13.<sup>th</sup> Dec.<sup>r</sup> 1753.

[EDITOR'S NOTE.—In the *Maryland Gazette* for March 7, 1754, under the heading of "Assembly Affairs" for February 26, 1754, appears St. Pierre's letter in the original French as well as in the English translation given above, in which latter form it alone is to be found in the official record of the proceedings of the Assembly. The letter in French follows literatim as it appears in the *Gazette*, except that Roman type instead of italics is used.

Monsieur,

Comme j'ai l'honneur de Commander ici en Chef, Monsieur Washington m'a remis la Lettre que vous ecriviez au Commandant des Troupes Françaises. J'aurois été charmé que vous lui eussiez donné ordre, ou qu'il eût été disposé à se rendre en Canada, pour voir Monsieur notre General au quel il appartient mieux qu' à moi, de mettre au jour l'evidence, et la réalité des droits du Roi mon Maitre sur les Terres scituées le long de la Belle Riviere, et de contester les pretentions du Roi de la Grande Bretagne à cet egard.

Je vais a dresser votre Lettre à Monsieur le Marquis Duquisne, sa reponse me servira de Loi, et s'il m'ordonne de vous la communiquer, je puis vous assurer, que je ne negligerais rien pour vous la faire tenir tres promptement.

Quant à la Sommaton que vous me faites de me retirer, je ne me crois pas dans l'obligation de m'y rendre; quelques que puissent être vous Instructions, je suis ici en vertu des Ordre de mon General, et je vous prie, Monsieur, de ne pas douter un instant que je suis dans la constante Resolution de m'y conformer avec toute l'exactitude, et la fermeté que l'on peut attendre du meilleur Officier.

J'ignore que dans les cours de cette Campagne il je soit rien passé qui puisse être réputé pour acte d'Hostilité, ny qui soit contraire aux Traitez qui subsiste entre les deux Couronnes, dont la continuation nous interess, et nous flatte autant que Messieurs les Anglois. S'il vous eût été agreable, Monsieur, d'en venir sur ce point à un detail particulier des faits qui motivent votre plainte, j'aurois eu l'honneur de vous le repondre de la façon la plus positive, et je suis persuadé que vous auriez eu lieu d'etre satisfait.

Je me suis fait un devoir particulier de recevoir Monsieur Washington avec la distinction qui convient à vôtre dignité, à sa qualité, et à son grand merite; je puis me flatter qu'il me rendra cette justice

aupres de vous, Monsieur, et qu'il vous fera connoitre ainsi que moi  
le Respect profond avec le quel, Je suis, Monsieur,

L. H. J.  
Liber No. 47  
February 26

Votre tres humble

et tres obeissant Serviteur,

Du Fort de la Riviere au Beuf,  
15 Decembre 1753]

Legardeur de St. Pierre.

The following Letter from the Governor of New York viz.<sup>t</sup>

p. 383

New York 11.<sup>th</sup> December 1753.

Sir.

On Fryday last I rece'd the Inclosed Letter with others to the Governours of Virginia, Pensilvania, New Jerseys, New Hampshire and the Messachusett's Bay from the Lord Commissioners for the Trade & the Plantations to be forwarded As Addressed, And As they are referred to in their Lordships Letter to me I enclose you an Extract of it, in pursuance of which I proposed an Interview with the Indians at Albany on the 13<sup>th</sup> or 14<sup>th</sup> Day of next June; The Assembly have this Day Resolved that they will make Provision for the presents Usually given on Such Occasions & for the Expençe of my voyage so that I intend to meet the Indians at the Time & place above mentioned The Assembly have also resolved Upon my laying before them the Letter from the Earl of Holderness One of his Majesty's principal Secretaries of State that they will make a Suitable provision for Assisting any of the Neighbouring Colonies to repell force by force in Case they be invaded in an Hostile Manner by any Armed Force Whatsoever.

I Send you the Extract of a Letter from the Commanding Officer at Oswego by which it appears if the Information be true that the Designs of the French on the Ohio have proved abortive.

I am Sir

your most Obedient

&

most humble Ser.<sup>t</sup>

James Delancey.

To the Hon'ble Horatio Sharpe  
Governour of Maryland.

The following is an Extract of the Letter from the Commanding Officer at Oswego to the Governor of New York Viz.<sup>t</sup>

Oswego Nov.<sup>r</sup> 8.<sup>th</sup> 1753.

Sir

Since I last did myself the Honour of Writing to your Excellency has repast this the greatest Part of the french Army that Went up this Summer to Ohio, from Whom deserted Two Men & put themselves Under my Protection (and Whom I now Send down) the One

L. H. J. an Englishman taken at Menas when Cutt off the other a Frenchman  
 Liber No. 47 from whom We learn that the French have been incapable of Ac-  
 February 26 complishing their Designs on Ohio by Means of the Indians, but  
 threaten a Second Tryall the next Year, they also inform Us that  
 the Army had been Very Sickley & great Numbers died with the  
 Scurvey thro' the Badness of their Provisions and that the Indians  
 to the Southward had not only bid Defyance to them, but forced from  
 them both Provision & Brandy Sundry Times, they also Inform us  
 that the French had taken from thence Two English Prisoners whom  
 they Sent in Irons to Canada, . . . .

Extracts of Lieutenant Holland's Letter Commanding Officer at  
 Oswego.

p. 384 The following is the Letter from the Lord Commissioners of  
 Trade and the Plantations viz.<sup>t</sup>

Whitehall Sep.<sup>t</sup> 18<sup>th</sup> 1753.

Sir.

His Majesty having been pleased to order a Sum of Money to be  
 Issued for Presents to the Six Nations of Indians and to direct his  
 Governour of New York to hold an Interview with them for Deliver-  
 ing those presents, for Burying the Hatchet and for Renewing  
 the Covenant Chain with them: We think it our Duty to Acquaint  
 you therewith, and as we find it has been usual upon former occasions  
 when an Interview has been held with these Indians for all his  
 Majesty's Colonies whose Interest & Security is Connected with and  
 depends upon them to Join in Such Interview and as the present  
 Disposition of those Indians and the Attempts which have been made  
 to withdraw them from the British Interest Appear to us to make  
 Such a General Interview more particularly necessary at this Time  
 We desire you will lay this Matter before the Council and General  
 Assembly of the Province under your Government and Recommend  
 to them forthwith to make a proper Provision for Appointing Com-  
 missioners to be Joined with those of the Other Governments for  
 Renewing the Covenant Chain with the Six Nations And for mak-  
 ing Such presents to them as has been Usual Upon the like Occasions  
 And we desire that in the Choice & Nomination of the Commis-  
 sioners you will take Care that they are Men of Character Ability &  
 Integrity and well Acquainted with the Indian Affairs.

As to the Time & Place of Meeting it is left to the Governour of  
 New York to fix it And he has Orders to give you Early Notice of it.

We are  
 Sir

Your Very loving Friends  
 &

Humble Serv.<sup>ts</sup>

Dunk Halifax  
 T Greenville  
 Duplin



The following is a Letter from the Governour of New England  
 Esq<sup>r</sup> L. H. J.  
 Boston Nov<sup>r</sup> 26<sup>th</sup> 1753. Liber No. 47  
 February 26

S<sup>r</sup> I Received by the last Post a Letter from the Earl of Holderness dated the 28.<sup>th</sup> of August past (a circular One As it Appears to be to All his Majesty's Governments in North America) acquainting me that his Majesty had Received Information of the March of a considerable Number of Indians not in alliance with him Supported by Some Regular European Troops intended as it is Apprehended to commit Some Hostilitys on parts of his Majesty's Dominions in America and directing me to Use my Utmost Diligence to learn how far the Same may be Well Grounded Acquainting me also that his Lordship had it particularly in Charge to let me know that it was his Majesty's Royall Will & Pleasure that I should keep up an Exact Correspondence with all his Majesty's Governours on the Continent And In Case I should be informed by any of them of any hostile Attempts that I should immediately Assemble the General Assembly within my Government and lay before them the Necessity of a mutual Assistance and Engage them to Grant Such Supplies as the Exigency of Affairs may Require, In Obedience to these Instructions I trouble you with this Letter to let you know that in Case any hostile Attempts shall be committed upon his Majesty's Territories within the Limits of your Honour's Government for Repelling of which that may Stand in Need of the Assistance of his Majesty's Other Colonys upon the Continent, I shall be ready upon my being informed of it by your Honour to do my Duty within my own Government for procuring their due Proportion of Supplies upon the Emergency, And for this Purpose, I shall be very Glad to Maintain a Strict Correspondence with your Honour pursuant to his Majesty's Command Signified to me in the Earl of Holdernes's before mentioned Letter. p. 385

I am with great Esteem

Sir

Your Honour's most humble  
 & most Obedient serv<sup>t</sup>  
 W. Shirley.

Mr. Speaker (with the other Members) returned to the Lower House, and re-assumed the Chair.

On motion, Ordered, That Mr. Speaker do issue his Warrant to the Secretary of this Province, forthwith to make out a Writ of Election, directed to the Sheriff of Kent County, to elect a Delegate to serve in this Assembly, in the room of Mr. William Rasin, who hath, since his being elected a Delegate for that County, accepted the Office of Sheriff.

L. H. J.  
Liber No. 47  
February 26

Ordered, That the Gentlemen who were of the several Committees from this House last Session, be continued thereon this Session.

The House adjourns till the morrow Morning at 9 of the Clock.

February 27

Wednesday, February 27, 1754.

p. 386

The House met according to Adjournment: The Members were called and all appeared as Yesterday. The Proceedings were read.

On reading his Excellency's Speech, at the Opening of this Session,

Ordered, That the Committee of Laws do prepare an Address thereon.

On motion, Resolved, That this House will take into Consideration, on the morrow Morning, the Subject Matter contained in his Excellency's Speech.

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. George, and Major Travers, appeared in the House.

Mr. Tilghman from the Committee of Laws, delivers to Mr. Speaker an address to his Excellency, which was read, approved, and ordered to be ingrossed.

Doctor Carroll from the Committee of Laws, delivers to Mr. Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.  
May it please your Excellency,

We, his Majesty's most loyal and dutiful Subjects, the Delegates of the Freemen of the Province of Maryland, in Assembly convened, return your Excellency our Thanks for your kind Speech, at the Opening of this Session.

Though the Time and Season of the Year be inconvenient to us, yet we shall chearfully attend the Service of our Constituents.

We will, with a just Regard to his Majesty's Interest, our own Safety, and that of our Neighbours, consider the several Letters laid before us by your Excellency, and we hope the Result will be such, as will meet your Approbation, and answer the Expectations of those we Represent.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Tilghman and Major Barnes, do acquaint his Excellency, that this House hath prepared an Address to him, and

desires to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor was pleased to signify he would receive the Address, in a Quarter of an Hour's Time, in the Conference Chamber.

L. H. J.  
Liber No. 47  
February 27

Ordered, That Mr. Key, and 14 more, do present the Address to his Excellency.

Ordered, That Doctor Alexander Hamilton, do acquaint the Reverend Mr. Malcolm, that he is desired by this House, to read Divine Service, Morning and Evening, during this Session.

The House adjourns till the morrow Morning at 9 of the Clock.

Thursday, February 28, 1754.

February 28

The House met according to Adjournment, &c.

Capt. Williamson appeared in the House.

A Letter from Mr. Thomas Wilkinson, a Member of this House, to the Sheriff of Queen Anne's County, and the Sheriff's Letter in Answer, being delivered to Mr. Speaker, and by him communicated to the House, were read, and ordered that the Committee of Elections and Privileges do make Enquiry into the Facts contained therein, and make Report thereof to the House.

The House having taken into Consideration that Part of his Excellency's Speech, which relates to the Governor of Virginia's Letter to him, and also the said Letter,

The Question was put, Whether this House will now proceed to grant Supplies for raising Men, in Pursuance of the aforesaid Letter, or Not?

Resolved Nemine Contradicente, in the Negative.

On Consideration of the Letter from the Lords of Trade and Plantations, delivered by his Excellency, at the Opening of this Session to Mr. Speaker,

The Question was put, Whether a Sum of Money be raised to make a present to the Six Nations of Indians, on their meeting at Albany, in June next, or Not? Resolved, on a Division, in the Affirmative.

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment, &c.

Mr. Waggaman, Mr. Gillis, Capt. Handy, Capt. Lee, and Mr. Falconar, appeared in the House.

L. H. J.  
Liber No. 47  
February 28

His Excellency the Governor communicated to Mr. Speaker the following Answer, to the Address of this House, viz.

Gentlemen of the Lower House of Assembly,

I return you Thanks for the Hopes your obliging Address has given me, that the same Principle which induces you to submit chearfully to the Inconveniences therein mentioned, will also animate you to contribute to the vigorous Prosecution of an Enterprize, on the Success of which his Majesty's Interest, as well as the Safety and Welfare of these Provinces, do so much depend.

Hor.<sup>o</sup> Sharpe.

The House adjourns till the morrow Morning at 9 of the Clock.

March 1

Fryday, March 1, 1754.

p. 388

The House met according to Adjournment, &c.

Major Ridgely appeared in the House.

Daniel Dulany, Esq; from the Committee of Laws, delivers Mr. Speaker a Bill intituled, An Act for his Majesty's Service.

On reading the Bill intituled, An Act for his Majesty's Service,

The Question was put, Whether One or Two of this House shall be inserted in the said Bill, as Commissioners to meet the Indians at Albany in June next.

Resolved, That Two of this House be inserted in the Bill as Commissioners.

For Two Commissioners,

Barnes,	Gillis,	Addison,
Key,	J. Goldsborough,	Murdock,
Williamson,	Oldham,	Frasier,
Falconar,	Tilghman,	W. Dulany,
Hall,	Travers,	Hamilton,
Gassaway,	Govane,	Hopper,
J. J. Mackall,	Buchanan,	Tillotson,
B. Mackall,	Paca,	D. Dulany,
Reynolds,	George,	Crabb.
Gantt,	Pearce,	
Harrison,	Earle,	

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For One Commissioner,

Bond,	Smallwood,	Evans,
Mills,	Handy,	Scarborough,
Gresham,	Edmunson,	Chapline,
Carroll,	Ridgely,	Magruder.
Lee,	Hyland,	
Stoddert,	Hawkins,	

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The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.  
Liber No. 47  
March 1

The House met according to Adjournment, &c.

The Bill intituled, An Act for his Majesty's Service; was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House by Mr. Tilghman and Mr. Edmunson.

The House adjourns till the morrow Morning at 9 of the Clock

Saturday, March 2, 1754.

March 2  
p. 389

The House met according to Adjournment, &c.

Col. Robert Jenckins Henry appeared in the House.

Mr. J. Goldsborough, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report, viz.

By the Committee of Elections and Privileges, March 1, 1754.

Your Committee having examined into the Complaint of Mr. Thomas Wilkinson, do find, that he was arrested by the Sheriff of Queen Anne's County, on or before the second Day of February last, and submit the further Consideration thereof to the honourable House.

Signed per Order, B. Beall, Cl. Com.

The House concurs with the said Report.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

His Excellency the Governor communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

Lest a Report, which has been propagated here, of the Virginians shewing the greatest Backwardness in making Provision for an Expedition to Ohio, should retard your Deliberations on that Affair, I take the Liberty to acquaint you, that I have received certain information of a Bill's having passed both Branches of the Legislature of that Province, last Saturday, whereby the Sum of Ten Thousand Pounds was granted, for the Encouragement of Adventurers, in that important Enterprize.

Hor.<sup>o</sup> Sharpe.

The House adjourns till Monday Morning at 9 of the Clock.

Monday, March 4, 1754.

March 4

The House met according to Adjournment: The Members were called and all appeared as on Saturday, except Mr. Bond, Mr. Mills, Mr. Govane, and Mr. Buchanan. The Proceedings were read.

The House adjourns till 2 of the Clock.

L. H. J.  
Liber No. 47  
March 4

Post-Meridiem.

The House met according to Adjournment.

The House adjourns till morrow Morning at 9 of the Clock.

March 5

Tuesday, March 5, 1754.

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. Tillotson.

Mr. Tilghman from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

Major Hall from the Committee of Laws, delivers to Mr. Speaker the following ingrossed Address, viz.

p. 390 To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We have taken into our serious Consideration the Matters proposed in your Excellency's Speech, and as we are sufficiently sensible of how great Importance it is to cultivate the Friendship of the Indians, have agreed, in Pursuance of the Recommendation of the Lords Commissioners for Trade and the Plantations, to raise a Sum of Money, for Purchasing suitable Presents to be delivered to the six Nations, by the Commissioners who are to be charged with the Renewal of the Covenant Chain with them.

The Ways and Means fallen upon, on this Occasion, as they are the most effectual and agreeable to the Circumstances of our Constituents, we rest assured, will not want your Excellency's Concurrence and Approbation.

We have considered the Requisition of the Governor of Virginia, and your Excellency's Message of the second Instant, with due Attention: And are fully convinced, that our own Security is connected with the Safety of our Neighbours, and that in Case of an Attack we ought mutually to assist and support each other: But as it does not appear to us that any Invasion or hostile Attempt has been made against this, or any other of his Majesty's Colonies, we do not think it necessary to make any Provision for an armed Force, which must inevitably load us with great Expence, and which cannot, as we conceive, under the Restrictions of the Royal Order, signified by the Earl of Holderness's Letter to your Excellency, effectually Co-operate, except in Case of an Invasion, with that of any other Colony.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Harrison and Mr. Handy, do acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified that he would be ready to receive the Address immediately, in the Conference Chamber.

L. H. J.  
Liber No. 47  
March 5

Ordered, That Mr. J. Goldsborough, and Five more, do present the Address to his Excellency.

Mr. J. Goldsborough from the Committee of Grievances and Courts of Justice, delivers to Mr. Speaker the following Report, viz.

By the Committee of Grievances and Courts of Justice, March 5, p. 391  
1754.

From the Representation of several Clergymen, and other Members, of the Church of England, made to your Committee last Session, we find, that the Growth of Popery within this Province hath become notorious, by the public Preaching of their Priests, and their perverting many of his Majesty's loyal Protestant Subjects, as also by corrupting the Minds of the Youth in teaching School publicly, either by themselves or others of their Communion, and that the Papists send their Children to Saint Omers for Education, out of the King's Obedience and Allegiance, many of which return into this Province Priests or Jesuits and propagate their dangerous Doctrine with great Industry and without Controul.

And further, that it is a common Practice, as well among the Popish Priests as other Papists, to pervert Servants and Negroes of Protestants, whereby they gain an Influence and Authority over them, which upon any intestine Commotion or foreign Invasion, might probably be of fatal Consequence to his Majesty's Protestant Subjects of Maryland.

Upon the whole, your Committee apprehend, that the several Matters above recited, together with the large Possessions of the Jesuits, and the Vicinity of the French, must endanger the Peace of this Province, and the Repose of all his Majesty's Colonies upon this Continent; but is humbly submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

On motion of a Member, That the Lands formerly by an Act of Assembly intituled, An Act to impower Commissioners to appoint and Cause to be laid out 3000 Acres of Land, on Broad-Creek, in Somerset County, for the Use of the Nanticoke Indians, so long as they shall Occupy the same, to be laid out for the Broad-Creek Indians; and, in Pursuance thereof, were possessed by them, but are now totally Deserted, were vested in the Trustees mentioned in the same Act and their Heirs, for the Use of the said Indians so long

L. H. J. as they should Occupy the same, and afterwards were to be disposed  
 Liber No. 47 of as the General Assembly of this Province should direct, and  
 March 5 forasmuch as it is represented that the Indians have, for some  
 Time past, omitted to Occupy, and have quitted the Possession of  
 the said Land,

Ordered, That Col. Robert Jenckins Henry, Mr. Waggaman,  
 Mr. Gillis, and Mr. Handy, do make an Enquiry, according to the  
 Purport of the Motion and the said Act of Assembly, and make  
 Report thereof to this House the next Session.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On reading the Report from the Committee of Grievances, the  
 Question was put, Whether the House concurs with the said Report,  
 or Not? Resolved in the Affirmative.

p. 392

For the Affirmative,

M. <sup>r</sup> Williamson,	M. <sup>r</sup> Waggaman,	M. <sup>r</sup> Pearce,
M. <sup>r</sup> Gresham,	M. <sup>r</sup> Gillis,	Capt. <sup>n</sup> Addison,
M. <sup>r</sup> Falconar,	Col. Henry,	M. <sup>r</sup> Murdock,
Doctor Carroll,	M. <sup>r</sup> Handy,	M. <sup>r</sup> Frasier,
Major Hall,	M. <sup>r</sup> J. Goldsborough,	M. <sup>r</sup> Hawkins,
Capt. <sup>n</sup> Gassaway,	M. <sup>r</sup> Oldham,	M. <sup>r</sup> W. Dulany,
M. <sup>r</sup> J. J. Mackall,	M. <sup>r</sup> Edmunson,	Doctor Hamilton,
M. <sup>r</sup> B. Mackall,	M. <sup>r</sup> Tilghman,	Capt. <sup>n</sup> Hopper,
M. <sup>r</sup> Reynolds,	Major Travers,	Capt. <sup>n</sup> Evans,
M. <sup>r</sup> Gantt,	M. <sup>r</sup> Gray,	Col. Scarborough,
Capt. <sup>n</sup> Lee,	Major Ridgely,	M. <sup>r</sup> Crabb,
M. <sup>r</sup> Stoddert,	M. <sup>r</sup> Paca,	M. <sup>r</sup> Chapline,
M. <sup>r</sup> Smallwood,	M. <sup>r</sup> Hyland,	M. <sup>r</sup> Magruder.
Col. Harrison,	M. <sup>r</sup> Earle,	

For the Negative,

Major Barnes	M. <sup>r</sup> Key	M. <sup>r</sup> D. Dulany
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p. 393 The House having concurred with the foregoing Report, it was  
 moved by a Member, that an Address be prepared to his Excellency  
 the Governor, on the Subject Matter therein contained; thereupon  
 Leave is given.

Ordered, That the Committee of Grievances and Courts of Jus-  
 tice, do prepare and bring in an Address accordingly.

Mr. J. Goldsborough from the Committee of Grievances and  
 Courts of Justice, delivers to Mr. Speaker an Address to his Excel-  
 lency, which was read and ordered to lie on the Table.

Mr. Key from the Committee of Laws, delivers to Mr. Speaker a  
 Bill intituled, A Supplementary Act to the Act intituled, An Act for  
 amending the Staple of Tobacco, for preventing Frauds in his



Majesty's Customs, and for the Limitation of Officers Fees; which was read the first Time, and ordered to lie on the Table.

L. H. J.  
Liber No. 47  
March 5

The House adjourns till the morrow Morning at 9 of the Clock.

Wednesday, March 6, 1754.

March 6

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. George.

On reading the Address to his Excellency the Governor, brought in by Mr. J. Goldsborough,

The Question was put, Whether the Words, viz, [And that you will take all possible Care that the Laws may be duly executed for our common Safety, Protection, and Encouragement, as well as for the Preservation of this his Majesty's Dominion], contained in the latter Part of the Address, be left out, or Not? Resolved in the Negative.

For the Negative,

Williamson,	Lee,	Hyland,
Gresham,	Stoddert,	Pearce,
Falconar,	Handy,	Addison,
Carroll,	J. Goldsborough,	Murdock,
Hall,	Oldham,	Frasier,
Gassaway,	Edmunson,	Hawkins,
J. J. Mackall,	Tilghman,	Evans,
B. Mackall,	Travers,	Scarborough,
Reynolds,	Gray,	Crabb.
Gantt,	Paca,	

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For the Affirmative,

Barnes,	Henry,	Hopper,
Key,	Ridgely,	D. Dulany.
Smallwood,	Earle,	Chapline,
Harrison,	W. Dulany,	Magruder.
Gillis,	Hamilton,	

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The Address to his Excellency being read throughout, the Question was put, Whether this House doth approve thereof, or Not? Resolved Nemine Contradicente, in the Affirmative.

Which Address was accordingly indorsed, Read, approved, and ordered to be ingrossed.

The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment.

Mr. John Goldsborough delivers to Mr. Speaker the following ingrossed Address, viz.

L. H. J. To his Excellency Horatio Sharpe, Esq; Governor and Commander  
 Liber No. 47 in Chief in and over the Province of Maryland.  
 March 6

The humble Address of the House of Delegates of the said Province.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, beg leave to represent to your Excellency the impending Dangers we apprehend from the Growth of Popery, and the valuable and extensive Possessions of Popish Priests and Jesuits, within this Province.

As Influence and Power are every where the inseparable Concomitants of Property and Wealth, we find, that our Mother Country, and other Protestant States, have thought it necessary to guard effectually against the Jesuits, and other Popish Emissaries, by laying them under particular Restrictions and Incapacities: And if their restless Genius, and the Vicinity of the French, be duly considered, we conceive the like Precautions cannot be thought unnecessary here. We humbly trust, from your Excellency's known Attachment to the present happy Establishment both in Church and State, that your Excellency will put into all Places of Trust and Profit, none but faithful Protestant Subjects, known as such by their religious and civil Principles: And that you will take all possible Care that the Laws may be duly executed for our common Safety, Protection and Encouragement, as well as for the Preservation of this his Majesty's Dominion.

p. 395 Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Goldsborough and Mr. Stoddert, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he would receive the Address immediately, in the Conference Chamber.

Ordered, That Mr. Murdock, and 13 more, do present the Address.

His Excellency communicates to Mr. Speaker the following Message,

Gentlemen of the Lower House of Assembly,

I Cannot think the Reason offered in your Yesterday's Address, sufficient for preremptorily refusing any Assistance to the Virginians, at this Juncture; and if we duly consider the present Posture of Affairs in Virginia and on the Ohio, I believe we shall not doubt our being sufficiently authorized by the Earl of Holdernes's Letter, to engage in the intended Expedition, and to give our Troops Instructions to act in Concert with those which are levying in the

neighbouring Colony, for that important Enterprize. For my own Part, I can see the Transactions of these People, against whom our Aid is solicited, in no other Light than that of flagrant Acts of Hostility, and I hope you will not give a softer Appellation than that of an Invasion, to their unjust Usurpations and Encroachments on his Majesty's Dominions, their Presumption to erect Forts on Lands to which our Sovereign has a most indubitable Right by a Concession, or rather a Purchase, not many Years since, from the Indians, who 'til that Time had held them in Possession. The Summons sent them to retire and relinquish Territories, to which they could have no just Pretensions, you see was answered with a Letter of Defiance [see pp. 409-411]; and by them, or at their Instigation, the greatest Violences were committed on several of our Fellow Subjects. 'Twas this Behaviour, and the Dread of repeated Insults, that obliged the Virginians to enter on Measures, which, as they demand our highest Approbation, we cannot, without the Charge of Inhumanity, render abortive.

L. H. J.  
Liber No. 47  
March 6

You are, I doubt not, fully certified of the Grounds for the Intelligence we received last Saturday, of the dutiful and generous Resolution of our Neighbours, to engage in supporting his Majesty's Right to the Country, which is at this Time invaded; but I submit to your Consideration, a Letter from the Governor of Virginia, confirming it; by that you will learn what Dependence they have on our Disposition to concur with them in an Endeavour, to extinguish at once our Enemy's Hopes of making farther Progress in their ambitious Schemes. This, the Duty of my Station obliges me to conjure you, by your Desire to maintain the Faith and Confidence our Neighbours have in us, by the Honour of the British Crown, and the Safety of these Provinces, with the utmost Dispatch to resolve.

Hor.<sup>o</sup> Sharpe.

And the following Letter from the Governor of Virginia, viz.

Williamsburg, February 23, 1754.

Sir,

I received the Favour of your Letter the 10th Current, and observe your Assembly were to meet the 25th, and hope they will chearfully aid the intended Expedition against the Enemies of our Country.

I prorogued our Assembly this Day, they have given 10,000 l. this Money, for the Support of his Majesty's Right to the Lands on the Ohio, in Consequence thereof, I design immediately to raise five or six Companies of Men, to march to Will's Creek with all prudent Expedition, but I dread their being there so soon as I formerly wrote you, but I hope they will be early in April, and should be glad your Forces could be there at the same Time.

I have wrote to the Cherokee and Catawba Nations of Indians, to the Southward of this, who some Months ago offered a Body of 1000 of their Warriors to go to the Ohio. I have, by Express,

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L. H. J. ordered their Marching to the Ohio to defend their Hunting  
 Liber No. 47 Grounds, and that they should be supported by Forces from this,  
 March 6 which, if they comply with, I am in hopes we shall make some Figure there.

I have thirty Cannon from the Crown, ten whereof I have ordered out to be mounted on the Fort to be erected on the Ohio. In May next I shall proceed to Winchester, to meet the Chiefs of several Nations of Indians, and to deliver them a Present from his Majesty.

If I can be of any Service to you or the Colony (happy) under your Command, I shall cheerfully receive your Directions, and am, with great Sincerity

p. 397

Your Excellency's

Most obedient humble Servant,  
 Robert Dinwiddie.

The inclosed Proclamation will }  
 be general to all the Forces. }

Which Message and Letter were severally read, and ordered to lie on the Table.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Petition of George Gordon, late Sheriff of Frederick County, praying Leave to bring in a Bill, To impower the Justices of Frederick County, to assess and levy, on the taxable Persons of the said County, the Sum of 118 l. to enable the said Justices to repay the said George Gordon, the aforesaid Sum by them received from him, and applied to the Use of the said County, &c. indorsed, "By the Upper House of Assembly, read, and referred to the Consideration of the Lower House of Assembly." Which Petition was read, and Leave given to bring in a Bill, according to the Petitioner's Prayer.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill intituled, An Act for his Majesty's Service, indorsed, "By the Upper House of Assembly, March 6, 1754. Read the second Time and will pass, with the following Amendments; leave out all that Part of the Bill, from the Words Negotiation aforesaid, in the 3d and 4th Lines of the 2d Page, to the Words and for the, in the 6th Line of 7th Page; leave out the Words and this present Act, in 13th Line of the 8th Page, and insert the following, and until the Sum of Five Hundred Pounds Current Money, in this Act mentioned to be paid for the Purposes aforesaid, be also replaced; in 16th Line of the same Page, leave out the Words, and this present Act; in the last Line of the same Page, leave out, or this present Act; in the first Line of the last Page, leave out the Words, and this Act.

Signed per Order, J. Ross, Cl. Up. Ho."

On reading the Amendments proposed by the Upper House to the Bill intituled, An Act for his Majesty's Service; the Question was

put, Whether this House agrees to the Amendments proposed by the Upper House to the said Bill, or Not? Resolved in the Negative. L. H. J. Liber No. 47 March 6

For the Negative,

Williamson,	Smallwood,	Pearce,	
Gresham,	Gillis,	Earle,	p. 398
Falconar,	Handy,	Addison,	
Carroll,	J. Goldsborough,	Murdock,	
Hall,	Oldham,	Frasier,	
Gassaway,	Edmunson,	Hawkins,	
J. J. Mackall,	Tilghman,	Evans,	
B. Mackall,	Travers,	Scarborough.	
Reynolds,	Gray,	Chapline,	
Gantt,	Ridgely,	Magruder.	
Lee,	Paca,		
Stoddert,	Hyland,		

For the Affirmative,

Barnes,	Henry,	Hamilton,
Harrison,	W. Dulany,	D. Dulany.

The Bill intituled, A Supplementary Act to the Act intituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officer's Fees; was read the second Time and will pass, and was sent to the Upper House, by Doctor Hamilton and Mr. Pearce.

The House adjourns till the morrow Morning at 9 of the Clock.

Thursday, March 7, 1754.

March 7

The House met according to Adjournment, &c.

A Bill intituled, An Act impowering the Justices of Frederick County Court, to levy on the taxable Inhabitants of the said County, a Sum of Current Money, for the Use therein mentioned; was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House by Mr. Handy, and Mr. Oldham.

The following Message, viz.

By the Lower House of Assembly, March 7, 1754.

May it please your Honours,

We have considered the Amendments proposed by your Honours to the Bill, For his Majesty's Service, and cannot agree to them; but as we are sensible of how great Importance it is, at this Juncture, to cultivate a strict Friendship and Alliance with the Six Nations of Indians, by making them suitable Presents, and are fully Persuaded that the Ways and Means fallen upon to replace the Money p. 399

L. H. J.  
Liber No. 47  
March 7

taken out of the Loan Office for that Purpose, are just and reasonable, and least burthensome to our Constituents, we have thought proper to return that Bill, in Hopes your Honours will pass it as it now stands: And this we have Reason to expect, when we consider, that last Sessions your Honours would have consented to a Bill For Licensing Hawkers and Pedlars, in the Terms of that Part of the present Bill, relating thereto, had the License Money and Fines and Forfeitures, been appropriated to the Lord Proprietor: And how reasonable it may be now to reject that Part, because the License Money and Fines and Forfeitures, are appropriated towards the Replacement of a Sum of Money, raised for his Majesty's Service, we submit to your Honours serious Consideration.

As the great Arrears due on the Ordinary Licenses cannot be satisfied in several Years, it is apparently necessary, that other Expendients should be fallen upon in Aid of that Act; for this Purpose, the Part of the Bill now proposed by your Honours to be left out, was inserted, and as it is in itself useful and beneficial to the Country, and has appeared in that Light to your Honours, we cannot conceive what reasonable Objection can now be made to it. We have the present Service much at Heart, and cannot doubt your Honours are equally solicitous about it, therefore rest assured of your Concurrence to a Bill so plainly calculated for the Service of his Majesty, and the Ease and Benefit of the People of this Province.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House with the Bill intituled, An Act for his Majesty's Service, by Doctor Carroll and Five more.

Col. Hammond, from the Upper House, delivers to Mr. Speaker, a Petition of some Inhabitants near Broad-Creek, in Worcester County, indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly." Which Petition was here read, and referred to the Consideration of next Assembly.

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Bill intituled, A Supplementary Act to the Act intituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, indorsed, "By the Upper House of Assembly, March 7, 1754. Read the second Time, and the last Clause being omitted, will pass." Which Bill was read here, and with the Amendments proposed, passed for ingrossing.

p. 400      The House adjourns till 2 of the Clock Afternoon.

Post Meridiem.

The House met according to Adjournment, &c.

Major Hall, from the Committee of Laws, delivers to Mr. Speaker an ingrossed Bill intituled, A Supplementary Act to the

Act intituled, An Act for amending the Staple of Tobacco, &c. which was read and assented to, and sent to the Upper House, with the Paper Bill, by Capt. Lee and Mr. Williamson.

L. H. J.  
Liber No. 47  
March 7

The House having taken into Consideration his Excellency's Message of Yesterday, and the Governor of Virginia's Letter to his Excellency, and by him communicated to Mr. Speaker: Resolved, That an Address be prepared to his Excellency to set forth therein, That this House hath determined not to grant a Supply, for raising Men or Money at this present Juncture, for the Purposes in the said Message required.

Ordered, That Mr. Tilghman, Doctor Carroll, Major Hall, and Doctor Hamilton, do prepare and bring in an Address accordingly.

Col. Hammond, from the Upper House, delivers to Mr. Speaker, the Bill intituled, An Act for his Majesty's Service, and the following Message, viz.

By the Upper House of Assembly, March 7, 1754.

Gentlemen,

We are as desirous that a Present may be made to the Indians, to cultivate their Friendship at this Juncture, and to do every Thing in our Power for his Majesty's Service, as you can be, and therefore passed the Bill intituled, An Act for his Majesty's Service, with the Application of the Money on the Ordinary License Law, which would replace it in a very short Time; and we having now re-considered the said Bill, cannot in any other Manner pass the same.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till the morrow Morning at 9 of the Clock.

Fryday, March 8, 1754.

March 8  
p. 400

The House met according to Adjournment, &c. all appeared as Yesterday, except Major Ridgely.

Doctor Hamilton, from the Committee appointed, brings in and delivers to Mr. Speaker an Address to his Excellency, in Answer to his Message of the 6th Instant, which was read, approved, and ordered to be ingrossed.

His Excellency communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

The favourable Opinion you have been pleased to conceive of my religious and civil Principles, I shall endeavour to preserve, by countenancing or encouraging none but such as are esteemed sincere Friends to the present happy Establishment both in Church and State: and as I never desire to see extraordinary Power in Hands where it may endanger the Safety and Welfare of his Majesty's good Protestant Subjects, you shall not want my Concurrence in any Thing

L. H. J. which is reasonable and expedient for the Security and Prosperity  
 Liber No. 47 of those who are intitled to that Appellation: A due Execution of the  
 March 8 Laws in Force in this Province, you may be assured I will always  
 encourage and promote.

Hor.<sup>o</sup> Sharpe.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill intituled, An Act empowering the Justices of Frederick County Court, to levy on the taxable Inhabitants of the said County, a Sum of Current Money for the Use therein mentioned; indorsed, “By the Upper House of Assembly, March 6, 1754. Read the second Time and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.”

Which Bill was here read, and passed for ingrossing

Doctor Hamilton brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message of the sixth Instant, sent to us, together with the Governor of Virginia's Letter; we sincerely profess, that it gives us no small Concern, to have any Occasion of differing in Sentiments with your Excellency, and likewise, that we have not been able to procure a Bill, sent from this to the Upper House, For his Majesty's Service; but, upon the most mature Consideration of your Excellency's Message, and the Letter therewith sent, we humbly conceive, that the Situation, or Circumstance, of our Neighbours of Virginia, with regard to any Violence or Outrage, threatened or perpetrated against them, by the French, does not require our immediate Aid or Assistance, by the raising of an armed Force here, agreeable to the Instructions given us, in the Earl of Holdernes's Letter; and therefore, we do not think it necessary to do any Thing in that Matter at present.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Harrison, and Mr. B. Mackall, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he was ready to receive the Address immediately, in the Conference Chamber.

Ordered, That Mr. Stoddert, and Three more, do present the Address.

On motion, That leave be given to bring in a Bill, For the Raising of a Sum of Money to be laid out in the Purchasing of Presents for the Northern and Southern Indians,



The Question was put, Whether Leave be now given for bringing in a Bill for the said Purpose, or Not? Resolved in the Negative.

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For the Negative.

Key,	Lee,	Addison,
Williamson,	Stoddert,	Murdock,
Gresham,	Smallwood,	Frasier,
Falconar,	Handy,	Hawkins,
Hall,	J. Goldsborough,	Evans,
Gassaway,	Edmunson,	Scarborough,
J. J. Mackall,	Travers,	Chapline,
B. Mackall,	Gray,	Magruder.
Reynolds,	Hyland,	
Gantt,	Pearce,	

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For the Affirmative.

Barnes,	Tilghman,	Hamilton,
Carroll,	Paca,	Hopper,
Harrison,	Earle,	D. Dulany,
Gillis,	W. Dulany,	Crabb.

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An ingrossed Bill intituled, An Act empowering the Justices of Frederick County Court, to levy on the taxable Inhabitants of the said County, a Sum of Current Money, for the Use therein mentioned; was read and assented to, and was sent to the Upper House, with the Paper Bill thereof, by Mr. Hawkins and Mr. Falconar.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, the Paper Bills, viz.

A Bill intituled, A Supplementary Act to the Act intituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; and, the Bill intituled, An Act empowering the Justices of Frederick County Court, to levy on the taxable Inhabitants of the said County, a Sum of Current Money, for the Use therein mentioned, severally indorsed, "By the Upper House of Assembly, March 7, 1754. The ingrossed Bill whereof this is the Original is read and assented to.

Signed per Order, J. Ross, Cl. Up. Ho."

Ordered, That Major Barnes and Doctor Hamilton, acquaint his Excellency the Governor, that no further Business lies before this House.

L. H. J. The Governor communicates to Mr. Speaker the following Mes-  
 Liber No. 47 sage, viz.  
 March 8

Gentlemen of the Lower House of Assembly,

I am most sensibly affected at your absolute Refusal to make such Provision as the Exigency of Affairs seems to require, and at your Non-compliance with his Majesty's most gracious Order, whereby we are advised of the Dangers threatning us, and commanded to prepare ourselves against all Events. My unwillingness to meet you again on Business so disagreeable to you, makes me most earnestly  
 p. 404 wish the Success of his Majesty's loyal Subjects in Virginia, in the Enterprize which Necessity has obliged them to undertake, may render any Supplies from their Neighbours unnecessary.

But though the Issue of your Deliberations on that Affair has left me no Place for Satisfaction, but in the Reflection of having done what the Duty of my Station required; yet, I hope, as the Letter from the Lords of Trade gives no Room for a double Construction, you will, in some Sort, endeavour to express your Duty to his Majesty, by providing for the Service therein recommended, by some Method which the Gentlemen of the Upper House may without Hesitation concur in, or by permitting the Treasurers (who have public Monies enough unapplied in their Hands, to answer many such Demands), to defray the Expence of the Commission to Albany, without laying, on this Occasion, the least Burthen on your Constituents.

Hor.<sup>o</sup> Sharpe.

The House adjourns till the morrow Morning at 9 of the Clock.

March 9

Saturday, March 9, 1754.

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. B. Mackall, Mr. Gantt, Mr. Gray, Mr. Oldham, Mr. Edmunson, and Mr. Magruder.

On reading the Resolves which are hereafter inserted, the Question was put, Whether the Earl of Holdernes's Letter, mentioned in the proposed Resolves, shall be printed with the Proceedings of this House, or Not? Resolved in the Affirmative.

For the Affirmative.

Carroll,  
 Hall,  
 Gassaway,  
 J. J. Mackall,  
 Lee,  
 Stoddert,  
 Smallwood,

Gillis,  
 J. Goldsborough,  
 Tilghman,  
 Travers,  
 Paca,  
 Hyland,  
 Pearce,

Earle,  
 Frasier,  
 Hawkins,  
 Evans,  
 Crabb,  
 Chapline.

For the Negative.

L. H. J.  
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Barnes,	Handy,	Hamilton,
Key,	Addison,	Hopper,
Gresham,	Murdock,	Scarborough,
Harrison,	W. Dulany,	D. Dulany, 12

Resolved, That the Letter from the Earl of Holdernessee, to his Excellency the Governor, be printed among the Proceedings of this House. p. 495

The Question was put, Whether the following, viz.

[Resolved, That this House have, in the Course of their Deliberations, on the Subject Matter of his Excellency's Speech, strictly conformed to the Directions, and Restrictions, contained in the Earl of Holdernessee's Letter, and that their Refusal to raise an armed Force in Aid of their neighbouring Colony, on the present Occasion, cannot be looked upon as a Non-compliance with his Majesty's most gracious Orders, but rather as a prudent Care of, and Concern for, the Ease and Welfare of the Country.

Resolved, That the Bill, prepared by this House, intituled, An Act for his Majesty's Service, with the Indorsements thereon, and the Letter from the Lords Commissioners of Trade and the Plantations to his Excellency, be printed among the Proceedings of this House, to testify their Regard to the Recommendation of that honourable Board, and their desire to co-operate with the neighbouring Colonies, in cultivating an Alliance and Friendship with the Six Nations of Indians.

Resolved, That it is the Duty of this House in raising Supplies, to do what appears to them to be just and reasonable and most conducive to the Ease and Advantage of the People, and that to consult any other Branch of the Legislature, how far the same might, without Hesitation, be concurred with, would be highly Derogatory of their Rights and Privileges, and a manifest Violation of the Trust reposed in them by their Constituents.] Shall be entered on the Journal, as the Resolves of this House, or Not? Resolved in the Affirmative.

For the Affirmative.

Carroll,	Handy,	Murdock,
Hall,	J. Goldsborough,	Frasier,
Gassaway,	Tilghman,	Hawkins,
J. J. Mackall,	Travers,	Evans,
Lee,	Paca,	Crabb,
Stoddert,	Hyland,	Chapline.
Smallwood,	Pearce,	
Gillis,	Addison,	

L. H. J.  
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Barnes,  
Key,  
Gresham,  
Harrison,

For the Negative.

Earle,  
W. Dulany,  
Hamilton,  
Hopper,

Scarborough,  
D. Dulany.

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p. 406 Upon the foregoing Question being determined in the Affirmative, and on due Consideration of the several Matters contained in his Excellency's Message Yesternight, communicated to Mr. Speaker, the following are entered in the Journal, as the Resolves of the Lower House of Assembly, viz.

Resolved, That the Letter from the Earl of Holdernesse, to his Excellency the Governor, be printed among the Proceedings of this House.

Resolved, That this House have, in the Course of their Deliberations, on the Subject Matter of his Excellency's Speech, strictly conformed to the Directions, and Restrictions, contained in the Earl of Holdernesse's Letter, and that their Refusal to raise an armed Force in Aid of their neighbouring Colony, on the present Occasion, cannot be looked upon as a Non-compliance with his Majesty's most gracious Orders, but rather as a prudent Care of, and Concern for, the Ease and Welfare of the Country.

Resolved, That the Bill, prepared by this House, intituled, An Act for his Majesty's Service, with the Indorsements thereon, and the Letter from the Lords Commissioners of Trade and the Plantations to his Excellency, be printed among the Proceedings of this House, to testify their Regard to the Recommendation of that honourable Board, and their Desire to co-operate with the neighbouring Colonies, in cultivating an Alliance and Friendship with the Six Nations of Indians.

Resolved, That it is the Duty of this House in raising Supplies, to do what appears to them to be just and reasonable and most conducive to the Ease and Advantage of the People, and that to consult any other Branch of the Legislature, how far the same might, without Hesitation, be concurred with, would be highly Derogatory of their Rights and Privileges, and a manifest Violation of the Trust reposed in them by their Constituents.

In Pursuance of the Resolves of the House, the following Letter is entered, viz.

Whitehall, August 28, 1753.

Sir.

His Majesty having received Information of the March of a considerable Number of Indians, not in Alliance with the King, supported by some regular European Troops, intending, as it is apprehended, to commit some Hostilities on Parts of his Majesty's Domin-

ions in America: I have the King's Commands to send you this Intelligence, and to direct you to use your utmost Diligence to learn how far the same may be well grounded, and to put you upon your Guard, that you may at all Events be in a Condition to resist any hostile Attempts that may be made upon any Parts of his Majesty's Dominions within your Government; and to direct you, in the King's Name, that in Case the Subjects of any foreign Prince or State should presume to make any Incroachment on the Limits of his Majesty's Dominions, or to erect Forts on his Majesty's Lands, or commit any other Act of Hostility, you are immediately to represent the Injustice of such Proceedings, and to require them forthwith to desist from any such unlawful Undertaking: But if, notwithstanding your requisition, they should still persist, you are then to draw forth the armed Force of the Province, and to use your best Endeavours to repel Force by Force. But as it is his Majesty's Determination not to be the Aggressor, I have the King's Commands most strictly to enjoin you not to make Use of the armed Force, under your Direction, excepting within the undoubted Limits of his Majesty's Dominions. And whereas it may be greatly conducive to his Majesty's Service, that all his Provinces in America should be aiding and assisting each other in Case of any Invasion, I have it particularly in Charge from his Majesty to acquaint you, that it is his Royal Will and Pleasure, that you should keep up an exact Correspondence with all his Majesty's Governors on the Continent; and in Case you shall be informed by any of them of any hostile Attempts, you are immediately to assemble the General Assembly within your Government, and lay before them the Necessity of a mutual Assistance; and engage them to grant such Supplies as the Exigency of Affairs may require. I have wrote by this Conveyance to all his Majesty's Governors to the same Purpose.

L. H. J.  
Liber No. 47  
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I am, Sir, your most obedient humble Servant,  
Holderness.

In Pursuance of the Resolve of the House, the Bill intituled, An Act for his Majesty's Service, is entered, viz.

“An Act for his Majesty's Service.

“Whereas the Right Honourable the Lords of Trade and Plantations, by a Letter dated Whitehall, September 18, 1753, directed to the late Governor of this Province, intimating that his Majesty had been pleased to order a Sum of Money to be issued for Presents to the Six Nations of Indians, and to direct his Governor of New-York to hold an Interview with them, for delivering those Presents, for burying the Hatchet, and renewing the Covenant Chain with them, and recommending to the Governor of this Province, as well as the other Governors of these Colonies, to join in such Interview, and make suitable Presents for renewing the Covenant Chain with

L. H. J. the said Six Nations, in Order to keep them in the Interest of Great-  
 Liber No. 47 Britain; this General Assembly taking the same into their most seri-  
 March 9 ous Consideration, and being willing to do what may best answer so  
 good an End, and to contribute to the Interest of their Mother Coun-  
 try, have thought proper, that the Sum of Five Hundred Pounds  
 Current Money, in Bills of Credit, be taken out of the Loan Office  
 of this Province, and paid by the Commissioners of the said Office,  
 for the Time being, to the Persons hereinafter named: It is there-  
 fore humbly prayed that it may be enacted.

p. 408 “And be it Enacted, by the Right Honourable the Lord Pro-  
 prietary, by and with the Advice and Consent of his Lordship’s  
 Governor, and the Upper and Lower Houses of Assembly, and the  
 Authority of the same, That the Commissioners of the Loan Office of  
 this Province, for the Time being, shall, and they are hereby obliged  
 and directed to pay out of the Money, or Bills of Credit, in their  
 Hands in the said Office, the Sum of Five Hundred Pounds Current  
 Money, in Bills of Credit, to the Honourable George Plater and Ben-  
 jamin Tasker, junr. Esquires, of the Upper House, and to Daniel  
 Dulany and Matthew Tilghman, Esquires, or any two of them;  
 Three Hundred Pounds, Part of the aforesaid Five Hundred Pounds,  
 to be applied by them, or any Two of them, towards purchasing suit-  
 able Presents to be made to the said Six Nations of Indians, and the  
 remaining Sum of Two Hundred Pounds, Part of the aforesaid  
 Sum of Five Hundred Pounds, to be applied by the said George  
 Plater, and Benjamin Tasker, junr. Daniel Dulany, and Matthew  
 Tilghman, Esquires, or any two of them, towards defraying their  
 Expences, as Commissioners aforesaid, and other contingent Charges  
 that may necessarily accrue by Occasion of their Attendance and  
 Service on the Negotiation aforesaid.

“And whereas, divers Persons, called Hawkers, Pedlars and Petty  
 Chapmen, coming into this Province from other Parts, and going  
 from Town to Town, or to the Dwelling Houses of the good People  
 of this Province, travelling either on Foot or with Horse, Horses  
 or other Carriages, sell or dispose of Goods, Wares or Merchandizes,  
 do frequently purchase very useful and necessary Commodities at  
 low Rates, and carry the same to the neighbouring Provinces, as  
 also considerable Sums of Money, to the great Damage of the In-  
 habitants of this Province. And whereas it is but reasonable that  
 Persons residing out of this Province, and taking Advantage and  
 Profit by Trade therein, should, in some Measure, contribute to the  
 Charges thereof, and be subject to a good Conduct and Behaviour  
 within the same Province. In Order therefore, and also for the  
 Replacement of the Money aforesaid, paid out of the Loan Office,  
 it is further prayed that it may be enacted.

“And be it Enacted, by the Authority, Advice and Consent afore-  
 said, That from and after the first Day of May next, it shall not be

lawful for any Hawker, Pedlar, or Petty Chapman, coming into this Province from any other Colony or Province, to trade, vend, or sell, barter, or exchange, any Goods whatsoever within this Province, or for any Hawker, Pedlar or Petty-Chapman whatsoever, to trade, vend or sell, barter or exchange, any Goods, Wares or Merchandizes, that he or they shall buy or purchase out of this Province, except Goods, Wares, or Merchandizes, immediately imported from Great-Britain into this Province, without first having obtained a License to trade within the same as a Hawker, Pedlar, or Petty-Chapman, from the Clerk of the County, within which he or she shall first enter this Province, or of the Clerk of the County where he or she shall reside, under the Seal of the said County, in the following Words. License is hereby given to A. B. for one Year from the Date hereof, to trade, deal, or traffic, as a Pedlar, Hawker and Petty-Chapman, within the Province of Maryland, according to the Directions of an Act of Assembly intituled, An Act for his Majesty's Service. Given under my Hand, and the Seal of \_\_\_\_\_ County this \_\_\_\_\_ Day of \_\_\_\_\_ Anno Domini \_\_\_\_\_. Which License the Clerk shall make out and sign, with his proper Name, and affix thereto the Seal of the County.

“And be it likewise Enacted, That every Hawker, Pedlar and Petty-Chapman, upon his, her or their, taking out such License, shall pay as a Fine for the same, for the Uses herein after mentioned, to the Clerk of the County who shall make out such License, the Sum of Four Pounds Current Money; and shall also pay such Clerk for his Fees, the Sum of Five Shillings Current Money, for making out such License.

“And be it likewise Enacted, That such Hawker, Pedlar or Petty-Chapman, shall, and he or they are hereby obliged to renew such License yearly, and every Year, while he, she or they, shall continue to trade, traffic or barter, within the same Province. from the Clerk of the County where he, she or they, first took License, or from the Clerk of the County where such Hawker, Pedlar or Petty-Chapman, shall be at the Expiration of the Time by the first License granted, and pay for the same License, the Sum of Four Pounds Current Money as aforesaid, yearly, and every Year; and likewise pay such Clerk as his Fee for such License yearly, the Sum of Five Shillings Current Money, and no more.

“And be it likewise Enacted, That if, after the Time herein before mentioned, any such Pedlar, Hawker, or Petty-Chapman, shall deal, traffick or barter, with or for any Money, Goods, Wares, or Merchandizes, within this Province, without having such License as herein before mentioned, such Pedlar, Hawker, or Petty-Chapman, shall forfeit and pay the Sum of Ten Pounds Current Money: To be recovered, with Cost of Suit, in the County Court where such Hawker, Pedlar, or Petty Chapman, shall be found, by Action of

L. H. J. Debt, Bill, Complaint or Information, where no Essoin, Protection, or  
 Liber No. 47 Wager of Law, or more than one Imparlance to be allowed; the one  
 March 9 Half of which Penalty to the Informer, or him, her or them, that  
 will sue for the same, and the other Half to be paid to the Commis-  
 sioners, or Trustees aforesaid, and by them applied towards the Re-  
 payment and Replacement of the Money, by them, the said Commis-  
 sioners or Trustees, directed to be paid by this Act

p. 410 “And be it likewise Enacted, That any Person, but more particu-  
 larly, every High Sheriff and his Deputies, Constable, Vestryman or  
 Churchwarden, within this Province, shall and may, and they, are  
 every of them, are hereby directed and impowered to examine such  
 Pedlar, Hawker or Petty Chapman, and require him or her, to pro-  
 duce his or her License, and in Case of Refusal or Neglect of such  
 Pedlar, Hawker or Petty-Chapman, to produce the same, it shall and  
 may be lawful for such High Sheriff and his Deputies, Constable,  
 Vestryman, Churchwarden, or other Person, to carry such Pedlar,  
 Hawker or Petty-Chapman, before any Justice of the Peace, and such  
 Justice is hereby directed to commit such Pedlar, Hawker, or Petty  
 Chapman, unless he, or she, shall produce to such Justice his or her  
 License, or unless he, or she, shall find Surety, in the Sum of Twenty  
 Pounds Current Money, for the Good Behaviour, and to appear at  
 the next County Court, to answer unto such Matters and Things as  
 shall be then and there objected against him or her, of and concerning  
 the Premises aforesaid; where, if he or she doth produce such his or  
 her License, as herein before directed to be taken, and it shall not  
 appear to such County Court, that he or she hath committed any  
 Breach of this Act; that then, and in such Case, he or she shall and  
 may be discharged, paying legal Fees.

“And be it likewise Enacted, That in Case any Hawker, Pedlar or  
 Petty Chapman, shall deal, traffic, or Barter, willingly and wittingly,  
 with any Servant or Slave within this Province, without the Consent  
 of the Master, Mistress or Owner, of such Servant or Slave, that  
 every Hawker, Pedlar or Petty Chapman, so dealing, trafficking or  
 bartering, with any Servant or Slave, shall be liable to the same  
 Penalty as is above provided against such Hawker, Pedlar or Petty  
 Chapman, as shall deal, traffic or barter, without first having ob-  
 tained a License, in the Manner above directed.

“And be it likewise Enacted, That in Case any Hawker, Pedlar or  
 Petty Chapman, shall be sued, or prosecuted, for dealing, trafficking  
 or bartering, with Goods, Wares or Merchandizes, not bought or  
 purchased within this Province, or immediately imported hither from  
 Great-Britain, without first having obtained a License for such Pur-  
 pose, the Fact charged shall be taken pro Consesso, against such  
 Hawker, Pedlar or Petty Chapman, so sued or prosecuted, unless such  
 Hawker, Pedlar or Petty Chapman, shall and do make it appear, that  
 he or she actually bought or purchased such Goods, Wares or Mer-



chandizes, within this Province, or that he or she actually imported such Goods, Wares or Merchandizes, from Great Britain, into this Province.

L. H. J.  
Liber No. 47  
March 9

“And be it likewise Enacted, That the several and respective County Clerks within this Province shall, and they are hereby obliged and directed to make out yearly, and every Year (at or before the Expiration of the November Court, for their respective Counties), Lists of the Licenses by them made out and granted, and to whom, and also of the Fines and Forfeitures recovered by Virtue of this Act, with an Account of the Money received for the same, and such Lists and Accounts lay before the Justices of such County Court, at every November Court yearly, as aforesaid, and the said Justices are hereby ordered and required, to direct the Clerk of the County to transmit such Lists and Accounts, with all convenient Speed, to the Commissioners, or Trustees aforesaid, for the Time being, who are hereby directed to lay the same before the General Assembly of this Province, at the next Meeting after their Receipt of such Lists and Accounts.

“And be it likewise Enacted, That the Clerks of the respective County Courts shall, and they are hereby impowered and directed to receive the Fine or Fines for the Licenses herein before mentioned, and the same to pay to the Commissioners, or Trustees aforesaid, for the Uses hereafter expressed; for which, and the other Services relating hereto, such Clerk shall and may have, and retain, a Commission of Two Pounds Ten Shillings per Centum, and so in Proportion for a greater or lesser Sum, of what he or they shall receive and pay, in Virtue of, and according to, the Direction of this Act. And that the Office Bonds of such Clerks, and his Sureties in such Bond, shall, with such Clerk, be, and are hereby, made liable to answer such Sum or Sums, as, from Time to Time, such Clerk, or Clerks respectively, shall or may receive in Virtue of this Act.

“And be it likewise Enacted, That all Forfeitures arising by this Act shall, after Recovery, be paid to the Sheriffs of the respective Counties, to and for the Use aforesaid, and that such Sheriff shall and may have, and retain, a Commission of Two Pounds Ten Shillings per Centum, for his Trouble.

“Provided always, That nothing in this Act shall be construed to extend to any Kind of Provisions brought into this Province, or Hemp, or Flax, to be disposed of, or sold therein. And for the better Support of the public Credit of this Province, and more certain and Speedy Replacement of the above Sum of Five Hundred Pounds Current Money, into the Office of the Commissioners, or Trustees appointed for emitting Bills of Credit, established by Act of Assembly.

“Be it Enacted, That such Part of the Act of Assembly intituled, An Act for issuing and taking out of the Office of the Commissioners, or Trustees, appointed for emitting Bills of Credit established by Act

L. H. J. of Assembly, the Sum of Four Thousand Five Hundred Pounds Cur-  
 Liber No. 47 rent Money, for Encouragement of such able bodied Freemen as shall  
 March 9 voluntarily enlist themselves in his Majesty's Service, for the intended  
 p. 412 Expedition against Canada, and for maintaining and conveying them  
 to the Place of Rendezvous; as also for replacing of the said Sum,  
 and for the better regulating Ordinaries and Ordinary Keepers, and  
 for other Purposes therein mentioned, as relates to the Regulating  
 of Ordinaries, Ordinary Keepers, granting Ordinary Licenses, and  
 the several Clauses, Matters and Things, therein mentioned, concern-  
 ing the same, shall be, and is hereby continued in full Force, until such  
 Time as the Purposes of the said recited Act, and an Act of Assembly  
 of this Province intituled, An Act for issuing and paying out of the  
 Office of the Commissioners, or Trustees, for emitting Bills of Credit  
 established by Act of Assembly, the Sum of Nine Hundred Pounds  
 Current Money in Bills of Credit, as also for the Payment of Two  
 Hundred Pounds Sterling Money, for purchasing Provisions for his  
 Majesty's Forces raised in this Province, and other Purposes; and  
 for continuing Part of an Act therein mentioned, shall be fully an-  
 swered; and also until such Time as that the Money hereby directed  
 to be paid, by the Commissioners, or Trustees, for emitting Bills of  
 Credit, established by Act of Assembly as aforesaid, shall be replaced,  
 by such further Sum or Sums of Money as shall or may arise by the  
 said Act hereby continued, and this present Act.

"And be it further Enacted, That the Commissioners, or Trustees,  
 of the Office aforesaid, for the Time being, shall, and they are hereby  
 empowered and directed to receive all Monies arising, or which shall  
 arise, by Virtue of the said Act hereby continued, and this present  
 Act; and, when so received, to place the same to the Credit of an  
 Account, to be by them stated and kept, to the Uses and Purposes of  
 this Act, in which Account the said Commissioners, or Trustees for  
 the Time being, shall charge Debtor, the Payments hereby directed  
 to be made, to and for the Uses of this Act; and that in Case, during  
 the Continuance of the said recited Act hereby continued, or this  
 present Act, any more Money shall be raised, or paid to the Com-  
 missioners, or Trustees aforesaid, in Virtue thereof, and this Act,  
 than the said Sum of Five Hundred Pounds, that the Surplus, or  
 Remainder, shall be, and is hereby directed to be, appropriated and  
 applied towards discharge of the public Expences of this Province,  
 as the General Assembly thereof, for the Time being, shall direct and  
 appoint.

" This Act to continue until the Sums of Money, mentioned in the  
 said recited Acts, and also the said Sum of Five Hundred Pounds,  
 p. 413 hereby directed to be paid by the Commissioners or Trustees afore-  
 said, shall be levied, collected, repaid and replaced, unto the Commis-  
 sioners or Trustees aforesaid, and until the End of the next Session

of Assembly which shall happen after the said Repayment and Replacing."

L. H. J.  
Liber No. 47  
March 9

The Indorsements are as follows; viz.

"By the Lower House of Assembly, March 1, 1754.

Read the first and second Time, by an especial Order, and will pass.

Signed per Order, M. Macnemara, Cl. Lo. Ho."

"By the Upper House of Assembly, March 1, 1754.

Read the first Time, and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho."

"By the Upper House of Assembly, March 6, 1754.

Read the second Time, and will pass, with the following Amendments; leave out all that Part of the Bill, from the Words Negotiation aforesaid, in the 3d and 4th Lines of the 2d Page, to the Words and for the, in the 6th Line of 7th Page; leave out the Words and this present Act, in the 13th Line of the 8th Page, and insert the following, and until the Sum of Five Hundred Pounds Current Money, in this Act mentioned to be paid, for the Purposes aforesaid, be also replaced; in 16th Line of same Page, leave out the Words and this present Act; in the last Line of the same Page, leave out or this present Act; in the first Line of the last Page, leave out the Words and this Act.

Signed per Order, J. Ross, Cl. Up. Ho."

George Plater, Esq; from the Upper House, acquaints Mr. Speaker, that the Governor requires the Attendance of the Lower House, in the Upper House.

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Upper House, where Mr. Speaker presented to his Excellency,

An ingrossed Bill intituled, A Supplementary Act to the Act intituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees. And, p. 414

An ingrossed Bill intituled, An Act empowering the Justices of Frederick County Court, to levy on the taxable Inhabitants of the said County, a Sum of Current Money, for the Use therein mentioned.

Both which his Excellency passed into Laws in the usual Manner; and made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

I Cannot sufficiently express to you my great Concern at our having put the Country to a very considerable Expence, without doing the Business, which I conceived, Duty, Prudence, and good Policy,

L. H. J. obliged me so earnestly to recommend, and I hope the Behaviour of  
Liber No. 47 all the neighbouring Colonies on the same Occasion, will justify my  
March 9 Conduct in this Affair. But to shew how averse I am to have the  
public Debt increased, without a Prospect of advantaging our Coun-  
try, and how uneasy I am at the Thoughts of detaining you against  
your Inclinations, I have, with the Advice of his Lordship's Council  
of State, thought fit to prorogue this Assembly to Wednesday the  
First Day of May next; and you are to take Notice you are pro-  
rogued to that Day accordingly.

Thus endeth this Session of Assembly, this 9th Day of March,  
Anno Domini 1754.

Test. M. Macnemara, Cl. Lo. Ho.

## ACTS OF ASSEMBLY PASSED IN MARCH 1754

At a Session of Assembly begun & held at the City of Annapolis the Twenty sixth Day of February in the Third Year of the Dominion of the Right Honourable Frederick absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore Annoq Dom. 1754 and Ending the Ninth Day of March following

Liber H. S.  
No. 1  
p. 140

The following Laws were Enacted & Assented to by his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor

A Supplementary Act to the Act intituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

Whereas, by the Act of Assembly entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, there is a Commission of Six Pounds of Tobacco per Centum, given to the several Sheriffs, for Collection of the Thirty Pounds of Tobacco, payable by each taxable Person, to the several Incumbents of the respective Parishes within this Province, which is One per Centum more than was ever paid by the Clergy for the said Collection; and this present General Assembly being unwilling to burthen them with any greater Sum, for the Collection of their Tobacco, than has been heretofore paid by them, do pray that it may be enacted. [Preamble.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That during the Continuance of the Act aforesaid, the several Sheriffs within this Province shall not be entitled to have, or receive, any greater Commission than Five Per Centum, for what Tobacco they shall severally collect from the Inhabitants thereof, to and for the Use of the several Clergymen, or Parishes, within the same; any Thing in the said Act contained to the contrary thereof in any wise notwithstanding. [Sheriffs to receive but 5 per Cent. on the Clergy's Allowance.]

7<sup>th</sup> March 1754  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

7<sup>th</sup> March 1754  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 1 An Act Impowering the Justices of Frederick County Court, to levy  
 Liber H. S. on the taxable Inhabitants of the said County, a Sum of Current  
 p. 141 Money for the Use therein mentioned.

[Preamble.] Whereas George Gordon, late Sheriff of Frederick County, by his humble Petition to this present General Assembly, has set forth, That when the Petitioner was Sheriff of Frederick County, the Magistrates of said County were of Opinion that the Ordinary License Money belonged to the County, that the Petitioner accounted with the County for One Hundred and Eighteen Pounds, as per Certificate doth appear, being Fines arising on the Breach of the Act of Assembly for regulating Ordinaries, &c. and Ordinary License Money, and the Magistrates of the said County thought they could not levy the aforesaid Sum without an Act of Assembly; therefore, the Petitioner prayed there might be an Act passed, to empower the Magistrates of Frederick County, to levy the aforesaid Sum of One Hundred and Eighteen Pounds, with the Sheriff's Commission, to enable the Petitioner to pay the said Sum to the Commissioners of the Loan Office, and prevent his Bonds being put in Suit: Which being thought reasonable, it is prayed that it may be enacted, And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Frederick County, for the Time being, shall, and may, and they are hereby authorized and directed to assess and levy on the taxable Inhabitants of the said County, the aforesaid Sum of One Hundred and Eighteen Pounds Current Money, in Bills of Credit, together with the Sheriff's Salary of Five Pounds per Centum for Collection, at the laying of the next County Levy; which said Sum of One Hundred and Eighteen Pounds, shall be collected by the Sheriff of the said County, who is hereby authorized and directed to collect the same, and to pay the said Money, when so collected, to the aforesaid George Gordon, or his Executors or Administrators.

[118 l. Cur-  
 rent Money,  
 to be levied  
 in Frederick  
 County, for  
 Mr. George  
 Gordon.]

8<sup>th</sup> March 1752  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Province  
 I will this be a Law  
 Hor.<sup>o</sup> Sharpe

8<sup>th</sup> March 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

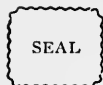
the great seal in  
 Wax Appendant

p. 142 I do hereby Certify that Richard Burdus Clerk of the Provincial Court and of the Secretaries Office of this Province of Maryland this Day personally appeared before me the Subscriber One of the Right Honourable the Lord Proprietary of the Province aforesaid his Council of State and made Oath on the Holy Evangels of Almighty

God that he Carefully Examined all the Laws contained in this Book Liber H. S.  
beginning at Folio 140 and Ending at Folio 142 with the original No. 1  
Acts that passed the Great Seal

Sworn to this ffourth day of May Anno : Dom 1754.

Bend.<sup>t</sup> Calvert



The Seal of the provincial Court is hereunto Affixed on  
Behalf of Edmund Jenings Esq.<sup>r</sup> Deputy Secretary of  
Maryland

p R. Burdus Clk of Sec.<sup>ys</sup> Off & Pvin.<sup>l</sup> Co.<sup>t</sup>





PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, May 8–May 30, 1754.  
Being the Fifth Session of the Assembly Elected in 1751.*

FREDERICK CALVERT, LORD BALTIMORE,  
*Lord Proprietary.*

HORATIO SHARPE,  
*Governor.*



# PROCEEDINGS

## OF THE

### UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis the Eighth day of May in the fourth year of his Lordships Dominion Annoque Domini 1754.

U. H. J.  
Liber No. 34  
1754, May 8  
p. 488

Present

His Excellency Horatio Sharpe Esq.<sup>r</sup> Governor

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	}	Cot Edward Lloyd
		Cot Charles Hammond		Cot Benjamin Tasker
		Samuel Chamberlain Esq. <sup>r</sup>		Benedict Calvert Esq. <sup>r</sup>

Mess.<sup>rs</sup> Hooper and Goldsborough from the Lower house acquaint his Excellency that there is a sufficient Number of Members met to make a house and wait his Excellencys Commands.

Colonel Hammond and Samuel Chamberlain Esq.<sup>r</sup> are Sent to the Lower house to acquaint the Speaker that his Excellency requires their immediate Attendance in the Upper house.

The Lower house attend and his Excellency is pleased to make the following Speech.

Gentlemen of the Upper and Lower houses of Assembly

I am very much concerned that the great Progress, the vast preparations and the avowed designs of our common Enemy, whose Incroachments and Depredations on his Majestys Territories Occasioned our last Meeting, have necessitated the neighbouring Governments to repeat again most Earnestly their Sollicitations for us to engage and unite with them in Supporting his Majestys just Right and Pretentions to these his American Dominions at this Time attached & invaded, Some Letters and Papers that I shall submit to your perusal will Shew to what a pass matters are already come; what Armaments have been, and are now making against us what wrongs & Indignities the Enemy hath already offered; with what arrogance they presume to obstruct the Freedom of a Commerce that has been enjoyed by our Ancestors without Interruption ever since the English first made Settlements on the Continent.

The particular and express Orders which his Majesty has been pleased to give for raising Fortresses on the Ohio & the Resolutions taken in a neighbouring Colony, after the most abundant Caution,

U. H. J. as they Serve to Confirm me in my Private Opinion concerning the  
 Liber No. 34 indubitable property of the Country Westward of these Provinces,  
 May 8 may, I hope, with some effect be urged to obviate and remove such  
 Scruples and doubts as have been lately Started about the Extent of  
 his Majestys American Dominions

Did I think such Motives were wanting I might Set before you  
 the Examples of the Several Provinces around us to warm and  
 p. 489 incite you to a generous Emulation of the laudable Zeal they have  
 Shewn for the Common cause and to a just Resentment of the  
 Insults that have been offered to the British name and dignity: But  
 from a Persuasion that you will be actuated by more noble Principals,  
 than such as arise from the fear of Censure I shall Satisfie myself  
 with reminding you that the Enterprize which the Virginians have  
 begun and the neighbouring Governments, unanimously engaged to  
 prosecute is undertaken for the preservation of our common Safety  
 and that its Miscarriage must be productive of the most fatal Con-  
 sequences; a due Reflection on this I am willing to believe will suffi-  
 ciently prompt you to a performance of the duty we owe to our  
 Sovereign, our fellow Subjects Ourselves and our Posterity; How  
 conducive it would be to the Success of this Important Expedition  
 and to our future Security to prevail on those Indian Nations whom  
 the Artifices and Insinuations of our Enemy have hitherto been  
 unable to Seduce to espouse our Cause vigorously, at this critical  
 Juncture, I leave your own Reason to Suggest to you; That and the  
 cogent Arguments contained in some Letters that shall be offered to  
 your Consideration will I am persuaded convince you of the indis-  
 pensable Necessity there is of Complying with his Majestys pleasure  
 Signified to us by the Lords of Trade concerning an Interview with  
 the Six Nations at Albany and will also induce you to consent that the  
 Commissioners from this Province be vested with Power and Liberty  
 to concert Measures and Stipulate with the Several Persons that may  
 be Deputed thither by the other Provinces for building Forts &  
 Places for the Reception and defence of the Indian Wives and Fam-  
 ilies on Occasion who must otherwise/while the warriors are engaged  
 from home in our Service/be deserted and abandoned to the rage of  
 their incensed & Revangeful Enemies

Upon no Account would I divert your attention from what has been  
 now promised; but as I conceive that the pleasantness of the Season  
 will after the dispatch of what I have been recommending to have  
 the first place in your Consultations, tempt you to proceed to other  
 Business I cannot but take Occasion to acquaint you with the Pensil-  
 vania Government's having shewed Inclination to pass a Law for the  
 more effectual punishment of such Persons as shall counterfeit &  
 utter among them the Paper Currency of this and the other Prov-  
 inces, as such an Act would be an Additional Support to the Credit

of our Currency, I flatter myself you will encourage its being passed by preparing a Similar Law for the Support of the Credit of their Paper Currency among us

U. H. J.  
Liber No. 34  
May 8

The Excessive charge and burthen this Country is at present Subjected to by the great Increase of Pensioners in Several of Our Counties I believe might be hinted at, as calling for, and Capable of a Remedy; if it be truly Represented that the distribution of the great Sums annually collected for the Relief of the poor, as it is now made, instead of being an Encouragement to and a reward for Industry proves too frequently an Incitement only to Debauchery and Idleness.

p. 499

Shall I also take the Liberty of intimating what considerable Benefit must accrue to the Inhabitants and what Honour must redound to yourselves from the foundation of a more perfect and more publick Seminary of Learning in this Province; a Scheme, this, long Since put in Execution among our Neighbours to whom our youth are Still obliged, much to the Disadvantage and discredit of this Province, to recur for a Liberal Education. Of such an Establishment, your discendents and late Posterity will reap the advantage and remember the present age with Gratitude From my knowledge of what vast pleasure and Satisfaction his Lordship Receives from being able to contribute to and Promote the Reputation. Honour and Prosperity of this Province, I will presume to encourage you to expect Something more than his bare approbation of such a Proposal

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 9 May 1754

May 9

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas and Richard Lee Esq<sup>rs</sup>

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 10 May 1754

May 10

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

U. H. J.  
Liber No. 34  
May 10

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Col George Plater Benjamin Tasker Esq.<sup>r</sup> attended by the Members of this house presents to his Excellency their Address which is as follows

To his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor and Commander in Chief over the Province of Maryland

The Humble Address of the Upper house of Assembly  
May it Please your Excellency

We beg leave to return your Excellency our Sincere thanks for the Speech you was pleased to make to both houses of Assembly at the Opening of this Session, and to assure you that the preparations and avowed designs of our Enemies and their Incroachments on his Majestys Territories and Dominions in America, at the same Time that they give a most Sensible Concern for the Consequences that may happen from such Insolent attempts excite in us the Strongest Sentiments of duty and Loyalty to his Majesty and a warm Resentment of the Injury which the Enemy hath already offered, in presuming to obstruct the Freedom of a Commerce so long enjoyed by our Ancestors.

And as we make no doubt or Hesitation in regard to his Majestys Property in the Country Westward of these Provinces, so we are willing and ready to do everything in our Power towards raising Fortresses on the Ohio and concurring with the Neighbouring Colonies in any laudable Enterprize undertaken for the preservation of the Common Safety

This Merits our attention; and in the Course of our deliberations We shall be willing to do every thing in our Power to answer your Excellencys Desire, in the other Matters recommended to us; and shall gratefully acknowledge any Continuance or favour his Lordship may be pleased to Shew towards so necessary and beneficial a work as a more perfect Seminary for Learning in this Province.

Benj.<sup>a</sup> Tasker Presid.<sup>t</sup>

Adjourned till to Morrow Morning ten of the Clock

May 11

Saturday Morning 11 May 1754

This house met again according to Adjournment

Present as yesterday except Col Hammond

Adjourned till Monday Morning ten of the Clock

Monday Morning 13 May 1754.

This house met again according to Adjournment

U. H. J.  
Liber No. 34  
May 13

Present

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	}	Col Benjamin Tasker
		Col George Plater		Richard Lee Esq. <sup>r</sup>
		Col Charles Hammond		Benedict Calvert Esq. <sup>r</sup>
		Samuel Chamberlain Esq. <sup>r</sup>		

A Message from the Lower house by Mess.<sup>rs</sup> Barnes and Bond

By the Lower house of Assembly 13 May 1754

May it please your Honours

This house hath appointed Major Barnes Captain Bond Col Harrison M.<sup>r</sup> Walter Dulany and Cap.<sup>t</sup> Lee a Committee to Inspect the Accounts and proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly and desire your Honours to appoint one or more of your House to Join in the said Committee

Signed p Order M Macnemara Cl Lo H.

The following Message is Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

By the Upper house of Assembly 13 May 1754

Gentlemen

This house hath named Richard Lee Esq.<sup>r</sup> to join the Persons appointed by your house to Inspect the Accounts & proceedings of the Commissioners of the paper Currency Office.

Signed p Order John Ross Cl Up Ho

The Governor communicates his Answer to the Address of this house which is as follows p. 492

Gentlemen of the Upper House of Assembly

I cannot but rejoice to find that your Sentiments with respect to the affairs which I thought myself obliged to recommend at the Opening of this Session are so Conformable to the opinion I had entertained of them and I return you thanks for the Assurance given me in your very obliging Address of your readily concurring to expedite the important Business which is at present the Subject of our Consideration

Hor.<sup>o</sup> Sharpe

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning.

Mess.<sup>rs</sup> Gresham and Williamson from the Lower house attend with M<sup>r</sup> Hugh Wallis a member Elected for Kent County/in the

U. H. J. Room of M.<sup>r</sup> William Rasin who since last Session has accepted of a  
 Liber No. 34 sheriffs Place/to See him Qualified who takes the Several Oaths  
 May 13 to the Government required by Law Repeats and Subscribes the  
 Abjuration and Test and then withdraws

Adjourned till to Morrow Morning ten of the Clock

May 14

Tuesday Morning 14 May 1754

This house met again according to Adjournment

Present as Yesterday except Co<sup>t</sup> Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas  
 Esq.<sup>r</sup>

Adjourned till to Morrow Morning ten of the Clock

May 15

Wednesday Morning 15 May 1754

This house met again according to Adjournment

Present as Yesterday

Read the Petition of Several Inhabitants of Baltimore Town and  
 also of Baltimore County praying 30 Acres part of Luns Lott a Tract  
 of Land called Deep point containing one Acre and about three  
 Quarters of an acre part of Coles Harbour may be laid out into  
 Lotts and made part of Baltimore Town and for other purposes  
 therein mentioned; Read the Petition of Cornelius Howard of Balti-  
 more County praying to be heard against the said Petition Referred  
 to the Consideration of the Lower house and Sent by Richard  
 Lee Esq.<sup>r</sup>

Adjourned till to Morrow Morning ten of the Clock

May 16

Thursday Morning 16 May 1754.

This house met again according to Adjournment

Present as Yesterday with the Addition of Co<sup>t</sup>. Hammond

p. 493

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock



Friday Morning 17 May 1754

U. H. J.  
Liber No. 34  
May 17

This house met again according to Adjournment

Present as Yesterday except Co<sup>t</sup> Hammond.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 18 May 1754

May 18

This House met again according to Adjournment

Present as Yesterday with the Addition of Co<sup>t</sup> Hammond

A Bill from the Lower house by Mess.<sup>rs</sup> Goldsborough and Handy  
entituled an Act for his Majestys Service thus Endorsed

By the Lower house of Assembly 17 May 1754

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower House of Assembly 19 May 1754

Read the Second Time and will pass

Signed p Order M Macnemara Ct Lo H.

Adjourned till Monday Morning ten of the Clock

Monday Morning 20 May 1754.

May 20

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	{	Philip Thomas Esq. <sup>r</sup>
		Co <sup>t</sup> George Plater		Richard Lee Esq. <sup>r</sup>
		Co <sup>t</sup> Charles Hammond		Benedict Calvert Esq. <sup>r</sup>
		Samuel Chamberlain Esq. <sup>r</sup>		

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.<sup>rs</sup> Dulany & Hopper  
Entituled an Act for the Continuance of the Provincial Court thus  
Endorsed

U. H. J.  
Liber No. 34  
May 20

By the Lower house of Assembly 20 May 1754

Read the first time & Ordered to lye on the Table

Signed p Order M. Macnemara Ct Lo H.

p. 494

By the Lower house of Assembly 20 May 1754

Read the Second time by an Especial Order and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

Read the first time in this House the Bill Entituled an Act for his  
Majestys Service and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

May 21

Tuesday Morning 21 May 1754.

This house met again according to Adjournment

Present as Yesterday.

Read the Second time the Bill Entituled an Act for his Majestys Service and will pass with the following Amendments, in the 10.<sup>th</sup> line of the 3.<sup>d</sup> Page between the words, of, and, one, put three hundred pounds Sterling to the Treasurer or Treasurers for the time being, after the word, made, in the 13 Line of 4th Page to the words, thirty Shillings, in the 8th Line of 5th Page to be left out and the following words inserted, to any Justice of the Peace, such Justice is hereby Strictly enjoined and required to bind the said Hawker Pedlar or Petty Chapman over to the next County Court where the said Hawker Pedlar or Petty Chapman shall be found there to be proceeded against according to Law, leave out after the word, Notwithstanding in 17 line of 5 Page to the word, Each, in 16th Line of 6th Page, after the word Province, in 18th Line of the same Page, put, as are actually in use, leave out after the words, p Centum, in the 11th Line of the 7th Page, to the word Receive, in the 5th Line of the 8th Page, in the last line of the 8th Page, instead of the words, a Commission of two and a half p Centum, put such Commission as is usually Received upon other duties, in the 9th Line of 10 Page after the word, them, leave out the following words, by the Several and respective officers therein mentioned yearly and every year during the Continuance of this Act, between the words to, and, the, in the 18 line of 12th Page, put Treasurer or Treasurers for the Time being, between the words, of &, One in the 19th Line of the same Page, put three hundred pounds Sterling in the first line of the last page instead of the words, on the Twenty fifth day of this present Month of May, put from and after the Publication thereof in the Second line of the same Page, between the words, of, &, One, put three hundred pounds Sterling directed to be paid by the Treasurer or Treasurers for the time being in the

last line but one in the same Page between the words, the, and, Commissioners, put said Treasurer or Treasurers for the time being Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

U. H. J.  
Liber No. 34  
May 21

A Bill from the Lower house by Mess.<sup>rs</sup> Smalwood & Edmonson entituled an Act for issuing Writts of Replevin out of the County Courts of this Province thus Endorsed

By the Lower house of Assembly 20 May 1754

Read the first Time and Ordered to lye on the Table

p. 495

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 21 May 1754

Read the Second Time and will pass.

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table.

Adjourned till three of the Clock in the Afternoon

Eodem Die post-Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Col Edward Lloyd

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 22<sup>d</sup> May 1754

May 22

This house met again according to Adjournment

Present as Yesterday except Philip Thomas Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 23<sup>d</sup> May 1754

May 23

This house met again according to Adjournment

Present as Yesterday

A Message from the Lower house by Mess.<sup>rs</sup> Tilghman & Gillis

By the Lower house of Assembly 23 May 1754

May it please Your Honours.

We have considered the Several Amendments proposed by your Honours to the Bill for his Majestys Service, and from an Earn-

U. H. J. est Inclination to promote and forward it are Induced to Agree to  
 Liber No. 34 many of them, but as there are Some to which We cannot agree,  
 May 23 therefore, and to keep up that good understanding which ought to  
 Subsist between the two Houses and give the present Service all  
 possible dispatch We desire conference upon the Subject Matter of  
 these Amendments to which if your Honours agree We shall  
 appoint Some of Our Members to Join any Members of your House  
 that you shall be pleased to Name for this purpose

Signed ꝑ Order M Macnemara C<sup>t</sup> Lo H.

The following Message is Sent to the Lower house by Samuel  
 Chamberlain Esq.<sup>r</sup>

By the Upper House of Assembly 23 May 1754  
 Gentlemen

In answer to your Message of this day by Mess.<sup>rs</sup> Tilghman and  
 Gillis this house hath Named George Plater & Philip Thomas Esq.<sup>rs</sup>  
 to join the Members that shall be appointed by your House to Confer  
 p. 496 upon the Subject Matter of the said Message who will be Ready  
 to Attend to Morrow Morning.

Signed ꝑ Order John Ross C<sup>t</sup> Up H.

A Message from the Lower house by Mess.<sup>rs</sup> Harrison and  
 Traverse

By the Lower house of Assembly 23 May 1754  
 May it please your Honours

In answer to your Message of this day Samuel Chamberlain Esq.<sup>r</sup>  
 this house hath appointed Doctor Carroll M<sup>r</sup> Tilghman Major Hall  
 M<sup>r</sup> Hollyday M.<sup>r</sup> Murdock and M.<sup>r</sup> John Goldsborough to join the  
 Members proposed by Your Honours in a Conference to Morrow  
 Morning

Signed ꝑ Order M Macnemara C<sup>t</sup> Lo H.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas  
 Esq.<sup>r</sup>

A Bill from the Lower house by Mess.<sup>rs</sup> Murdock and Edmonson  
 Entituled an Act for the Security of his Majestys Dominion and  
 to prevent the Growth of Popery within this Province thus Endorsed.

By the Lower house of Assembly 22 May 1754

Read the first Time and ordered to lye on the Table

Signed ꝑ Order M Macnemara C<sup>t</sup> Lo H.

By the Lower house of Assembly 23 May 1754  
Read the Second time and will pass

U. H. J.  
Liber No. 34  
May 23

Signed 7 Order M Macnemara Ct Lo H.

Read the first Time in this house & Ordered to lye on the Table  
Adjourned till to Morrow Morning ten of the Clock

Friday Morning 24 May 1754

May 24

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Richard Lee Esq.<sup>r</sup> from the Committee appointed to Inspect the  
Accounts and proceedings of the Commissioners of the Paper Cur-  
rency Office brings in the following Report Viz.<sup>t</sup>

Maryland ss.<sup>t</sup>

At a Committee of both houses of Assembly appointed to Inspect  
the office and proceedings of the Commissioners for Emitting Bills  
of Credit Established by Act of Assembly

Were Present

The Honourable Co<sup>t</sup> Richard Lee of the Upper House

Major Abraham Barnes	} of the Lower House.
Cap. <sup>t</sup> Zachariah Bond	
Co <sup>t</sup> Richard Harrison	
Cap. <sup>t</sup> Arthur Lee &	
M. <sup>r</sup> Walter Dulany	

Who make of and appoint the Honourable Richard Lee Esq.<sup>r</sup> p. 496(a)  
Chairman and Richard Dorsey their Clerk and agree to make the  
following Report viz

Your Committee are informed by the Commissioners for Emit-  
ting Bills of Credit as aforesaid that there is due to the office for  
Interest on Loans to the 10th day of April last the Sum of  
£4651..4..8.

And your Committee find by Inspecting the office Books that there  
Remains of the £89990 a Ballance in the Iron Chest of £3029..17..2½  
and also that the Sum of £10513..7..9¾ is Still due to the office on  
Loans made to the publick as 7 the following account

U. H. J. Liber No. 34 May 24	Dr. <sup>r</sup> The Province of Maryland to the Paper Currency Office.	
	To Ballance of an Account for Money taken out of the office by Acts of Assembly made in the years 1734, 1736 & 1737, for defraying part of the Public Charge	3388..15.. 9 $\frac{3}{4}$
	To Ditto for Money taken out by Act of Assembly in the year 1740 for Defraying part of the Charge of the Expedition against Cuba	683.. 3.. 11
	To Ditto for Money taken out by Act of Assembly in the year 1741 for the Relief of Charles Sewall Esq. <sup>r</sup>	404..19.. 1 $\frac{1}{4}$
	To Ditto for Money taken out by Act of Assembly in the year 1746 for Defraying part of the Charge of the Expedition against Canada	874..17.. 8 $\frac{1}{2}$
	To Money taken out by Act of Assembly for purchasing Provisions for the Soldiers on Same Expedition	1100.. 8.. 4
	To Ballance of Accounts for Money taken out on Account of the Inspection Law	4061.. 2.. 11 $\frac{1}{4}$
		<hr/> £10513.. 7.. 9 $\frac{3}{4}$ <hr/>

All of which is Submitted to the Consideration of both Houses of Assembly this 20th day of May 1754.

Rich<sup>d</sup> Lee

A Barnes

Zach.<sup>a</sup> Bond

R<sup>d</sup> Harrison

Walter Dulany

Arthur Lee

Adjourned till to Morrow Morning ten of the Clock

May 25

Saturday Morning 25 May 1754

This house met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

Monday Morning 27 May 1754

This house met again according to Adjournment

U. H. J.  
Liber No. 34  
May 27

Present

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	}	Samuel Chamberlain Esq <sup>r</sup>
		Cof George Plater		Richard Lee Esq <sup>r</sup>
		Cof Charles Hammond		Benedict Calvert Esq. <sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Message from the Lower house by Mess.<sup>rs</sup> Hollyday & Earle p. 497

By the Lower House of Assembly 27 May 1754

May it please your Honours.

This house has Resolved that the Sum of five hundred Pounds Currency be laid out in presents to be delivered to the Six Nations of Indians at Albany agreeable to the recommendation of the Lords of Trade and the Plantations, and for that End propose to your Honours that both houses may agree in an Ordinance for the Payment of the above Sum of Money by the Treasurer of the Western Shore to the Commissioners to be appointed by his Excellency to attend the Interview at Albany next June and the further Sum of One hundred & fifty pounds Currency to be paid by the said Treasurer to defray the Expence of the Commissioners upon that Service

Signed p Order M Macnemara Ct Lo H.

The following Message is Sent to the Lower house by Cof Hammond

By the Upper house of Assembly 27 May 1754

Gentlemen

In answer to your Message of this day by Mess.<sup>rs</sup> Hollyday and Earl this house is willing that an ordinance of both houses be made on the Treasurer of the Western Shore for the Sum of five hundred pounds Current Money as a present to be delivered to the Six Nations of Indians at Albany and one hundred and fifty Pounds Currency to defray the Expences of the Commissioners upon that Service

Signed p Order John Ross Ct Up H.

Read the Petition of Sundry the Justices of Frederick County and Others the Inhabitants of the said County Praying that the Sum of five hundred Pounds may be allowed by the Publick to build a Prison Referred to the Consideration of the Lower house of Assembly and Sent by Samuel Chamberlain Esq.

U. H. J. Read the Petition of Severals Subscribers Inhabitants of Baltimore County praying that a Road may be cleared from Octarara Creek down said Creek and Susquehannah River to the Top of the Tide Rejected—Read the Petition of Sundry Inhabitants of Charles County praying that a warehouse may be erected on Nanjemy Creek at Croxons Landing in the said County Rejected

Liber No. 34  
May 27

Read the Petition of the Rector Vestrymen Churchwardens & Principal Inhabitants of Port Tobacco Parish in Charles County praying that 40000 pounds of Tobacco may be levyed on the Taxable Inhabitants of the said Parish for building a Chappel of Ease in said Parish—The Petition of Several the Inhabitants of King and Queen Parish in S.<sup>t</sup> Marys County praying an Act to levy 20000 pounds of Tobacco to Repair the Parish Church in the said Parish—The Petition of the Parishioners of S.<sup>t</sup> Marys Whitechappel Parish p. 498 in Dorchester County praying Three hundred and fifty Pounds Current Money may be Levied on the taxable Inhabitants of the said Parish towards building a New Church in the said Parish; Referred to the Consideration of the Lower house and Sent by Benedict Calvert Esquire

Read the Petition of the Rector Vestrymen and Churchwardens and others Parishioners of S.<sup>t</sup> Johns Parish in Baltimore County Praying a Bill to Purchase 2 Acres of Land part of my Ladys Manor to build a Chappel of Ease upon and also to appoint two Inspectors for the Ware house at Joppa, and in the fork of Gunpowder River in the said County Rejected

Adjourned till to Morrow Morning ten of the Clock

May 28

Tuesday Morning 28 May 1754.

This house met again according to Adjournment

Present as Yesterday

Two Bills from the Lower house by Mess.<sup>rs</sup> Mackall and Lee, One entituled an Act to make it Penal to Forge or counterfeit the Bills of Credit of Pensilvania New York East or West Jerseys or the three Lower Counties on Delaware called Newcastle Kent and Sussex or to utter or Tender the same in Payment within this Province knowing them to be such—and an additional Supplementary Act to the Act Entituled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees thus Endorsed.

By the Lower house of Assembly 24 May 1754

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.



By the Lower house of Assembly 28 May 1754  
Read the Second time and will pass

U. H. J.  
Liber No. 34  
May 28

Signed p Order M Macnemara Ct Lo H.  
Read the first time in this house and Ordered to lye on the Table  
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.<sup>rs</sup> Handy and Hopper entitled an Act to enable the Justices of S.<sup>t</sup> Marys County to levy a Quantity of Tobacco on the Taxable Inhabitants of King and Queen Parish in said County for the purposes therein mentioned thus Endorsed

By the Lower house of Assembly 28 May 1754

Read the first and Second time by an Especial Order and will Pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table.

A Bill from the Lower house by Mess.<sup>rs</sup> Magruder and Evans Entitled an Act for building a Prison in Frederick County thus Endorsed

By the Lower house of Assembly 28 May 1754

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Asembly 28 May 1754

Read the Second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table  
Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 29 May 1754

May 29

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess.<sup>rs</sup> Lee and Buchanan entitled an Act empowering the Rector Vestrymen and Churchwardens of Port Tobacco Parish in Charles County for the time being to purchase a Quantity not exceeding Two acres of Land and there on to build a Chappel of Ease in the said Parish and to empower the Justices of the said County to levy on the Taxable Inhabitants of the said Parish a Quantity of Tobacco for the uses therein mentioned thus Endorsed

U. H. J.  
Liber No. 34  
May 29

By the Lower house of Assembly 29 May 1754

Read the first and Second Time by an Especial Order and Will  
pass

Signed p Order M Macnemara Cl. Lo H.

Read the first time in this house and Ordered to lye on the Table.

Read the Petition of Sundry Inhabitants of S.<sup>t</sup> Johns Parish in Queen Anns County and of part of S.<sup>t</sup> Pauls Parish in Talbot County praying an Act may Pass at the death or the Removal of the present Incumbant to Add that part of S.<sup>t</sup> Pauls Parish which lies in Talbot County to S.<sup>t</sup> Johns Parish aforesaid Referred to the Consideration of the Lower house & Sent by Benedict Calvert Esq.<sup>r</sup>

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Co<sup>t</sup> Benjamin Tasker

Read the Second Time the Bill Entituled an Act to enable the Justices of S.<sup>t</sup> Marys County to levy a Quantity of Tobacco on the Taxable Inhabitants of King and Queen Parish in the said County for the Purposes therein mentioned—The Bill Entituled an Additional Supplementary Act to the Act entituled an Act for Amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for the Limitation of Officers Fees—The Bill Entituled an Act  
p. 500 to make it Penal to Forge or Counterfeit the Bills of Credit of Pensilvania New York East or West Jerseys or the three Lower Counties on Delaware called Newcastle Kent and Sussex or to utter or Tender the same in payment within this Province knowing them to be Such—The Bill Ent.<sup>d</sup> an Act for Building a Prison in Frederick County and will Pass Sent to the Lower house by Co<sup>t</sup> Tasker

Read the Petition of George Wilson and Mary Wilson of Kent County Praying a Bill may be brought in Authorizing the Chancellor of this Province to Grant a Lease to them for Twenty acres of Land upon the return of a Writt of Ad Quod Damnum, Rejected

The following Message is brought from the Lower house by Mess.<sup>rs</sup> Traverse and Goldsborough

Whereas the Lords for Trade and Plantations by their Letter to his Excellency the Governor of this Province dated the 18th September 1753. have Signified that his Majesty was pleased to grant a Sum of Money for a present to the Six Nations of Indians and that it was recommended to the Respective Governments to Send Commissioners to the Place of Meeting to renew the Covenant Chain with those Indians and to keep up a Friendship with them, It is therefore Ordained by his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor and the Upper and Lower houses of Assembly in general Assembly convened that the Sum of five hundred pounds Current

Money shall be paid by the Treasurer of the Western Shore of this Province to such Commissioners as his Excellency shall be Pleased to Nominate and appoint to purchase proper presents to be made to the Six Nations of Indians at Albany at a meeting to be held there on the 14th day of June 1754 and that the Sum of One hundred and fifty pounds Current Money be also paid by the said Treasurer to the said Commissioners to defray the Expence of their Journey to Albany and return from thence on the Negotiation aforesaid—Such Money to be paid by the said Treasurer out of any publick Money belonging to this Province in his hands and that the said Treasurer shall Charge such Payment for the Uses af.<sup>d</sup> to the Publick of this Province.

U. H. J.  
Liber No. 34  
May 29

29 May 1754

Hor.<sup>o</sup> Sharpe, Read and Assented to by the Upper House of Assembly

Benj.<sup>a</sup> Tasker Presd.<sup>t</sup>

29 May 1754

Read and Assented to by the Lower house of Assembly

Signed p Order T. Hammond Spk<sup>r</sup>

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 30 May 1754

May 30

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess.<sup>rs</sup> Gray and Govane Entitled a Supplementary Act to the Act entituled an Act for the Speedy & Effectual publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer thus Endorsed.

By the Lower house of Assembly 30 May 1754

p. 501

Read the first and Second Time by an Especial Order and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first and Second time in this house by an Especial Order & will Pass

The Journal of Accounts is brought from the Lower house by Mess.<sup>rs</sup> Goldsborough and Edmunson thus Subscribed

29th May 1754

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H

U. H. J. Read the Second Time the Bill Entituled an Act impowering the  
 Liber No. 34 Rectors Vestrymen and Churchwardens of Port Tobacco Parish in  
 May 30 Charles County for the Time being to purchase a Quantity not exceeding Two Acres of Land & thereon to build a Chapel of Ease in the said Parish and to impower the Justices of the said County to levy on the Taxable Inhabitants of the said Parish a quantity of Tobacco for the Uses therein mentioned and will pass Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

Four engrossed Bills from the Lower house by Mess.<sup>rs</sup> Hamilton and Williamson, The Bill entituled an Additional Supplementary Act to the Act entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees. The Bill entituled an Act to make it Penal to forge or Counterfeit the Bills of Credit of Pensilvania New York East or West Jerseys or the Three Lower Counties on Delaware called Newcastle Kent and Sussex or to tender the Same in payment within this Province knowing them to be such—The Bill Entituled an Act for Building a Prison in Frederick County—and the Bill Entituled an Act to enable the Justices of S.<sup>t</sup> Marys County to levy a quantity of Tobacco on the Taxable Inhabitants of King and Queen Parish in said County for the purposes therein mentioned, Severally thus Subscribed

30 May 1754

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house and Ordered to be so Subscribed.

Read the Petition of Several Insolvent Debtors, and Rejected

The following Message is Sent to the Lower house with the Journal of Accounts by Cof Tasker

By the Upper house of Assembly 30 May 1754  
 Gentlemen

We herewith Return the Journal of Accounts in which we observe there is no Allowance made to Thomas Bladen Esq.<sup>r</sup> for the Money disbursed by him in building the house for a Governor, nor to the Members of the Council for their attendance as a Council of State nor to the Clerk of the Council for his yearly Salary as Clerk

We hope therefore you will Consider these Matters in such a manner as the Journal may pass.

Signed p Order John Ross Ct Up H.

p. 502 George Plater Esq.<sup>r</sup> from the Conferees of both houses appointed to Consider of the Amendments proposed to the Bill for his Majestys Service brings in the following Report

At a Conferance appointed by the Honourable the Upper and Lower houses of Assembly May 24.<sup>th</sup> 1754 and met in the Paper Office

U. H. J.  
Liber No. 34  
May 30

Were Present

The Honb.<sup>le</sup> George Plater & Philip Thomas Esq.<sup>rs</sup> Members of the Upper House.

Doctor Charles Carroll	} Members of the Lower house of Assembly
M. <sup>r</sup> Matthew Tilghman	
Major Henry Hall	
M. <sup>r</sup> James Holladay	
M. <sup>r</sup> William Murdock & M. <sup>r</sup> Jn <sup>o</sup> Goldsborough	

Who made Choice of the Honourable George Plater Esq.<sup>r</sup> Chairman and William Wilkins Clerk

The Conferees of the Upper house delivered themselves to the Conferees of the Lower house in the following manner viz, Gentlemen, as Your house has desired this Conference We are ready to hear and Receive what Objections you have to the Amendments proposed by the Upper house to the Bill for his Majestys Service, upon which the Conferees of the Lower house delivered the following objections in writing viz.<sup>t</sup>

As to the Second Amendment our house cannot agree because by the Bill as Sent up a mode was ascertained for the Recovery of the Tax Imposed upon Hawkers and Pedlars and an Encouragement given to Informers to prosecute, both which are Struck out by the Amendment and no mode prescribed for the Recovery of The Tax as this house had no Inclination to draw his Lordships Claim to Fines and forfeitures into Question upon this Occasion/which Seems to be done by the Amendment/all Tendency towards it was Carefully avoided by the Bill, for these Reasons it is hoped their honours will not adhere to the Amendment proposed to that part of the Bill—To the fourth Amendment the house cannot agree because they apprehend it may leave Room for Evading the Tax. To the Sixth amendment by which it is proposed to give the Naval Officers such Commissions as is usually Received upon other duties they cannot agree because they think the Commission Settled by the Bill is Adequate to the Service.—

Altho' our house have agreed to the Amendment for Replacing the Money to be taken Out of the Treasurers hands yet they think that Amendment Imperfect as it is not ascertained what Sum of Current—Money/which only can be raised by the funds/shall be applied to that purpose, nor what proportion of the Money arising on Each Fund—shall be annually paid to the Treasurer and what to the Commissioners of the Paper Currency Office and therefore proposes that the Sum of Four hundred and fifty pounds be paid to the Treasurers in

U. H. J. Lieu of three hundred pounds Sterling to be taken out of their hands  
 Liber No. 34 and that one eight part of the Money arising on Each fund be annu-  
 May 30 ally paid to them for that Purpose

p. 503 Thereupon the Conferees of the Upper house withdrew to make Report to their house.

The Conferees met again and the Conferees of the Upper house delivered to the Conferees of the Lower House reasons in writing as follow Viz.<sup>1</sup> By your objections to the second Amendment we take it for Granted you have agreed to the first, and in Answer to the Objections We Say that a Mode is ascertained for the Recovery of the Tax by a Prosecution at Law and although nothing is particularly given by the said Amendment for the encouragement of Informers yet as it is made an Act of duty in the Several Officers mentioned therein to Carry the Act into Execution We think that is Sufficient and We had not the least Intention to draw his Lordships Claim to the Fines and forfeitures into Question, on which Point We are fully Satisfied—To the objection against the fourth Amendment We Say We do not apprehend where Room is left for Evading the Tax and desire you would point it out to us—In answer to your objection to the Sixth Amendment We say that in our Judgment the Naval Officers must be intitled to the same Commission as upon other duties, unless Reasons can be assign'd to the Contrary, as to your last Objection We Say that if there be any defect in the Amendment proposed we are willing to agree to any Alteration therein as shall be found necessary and that the Bill may be Amended accordingly

Upon which the Conferees of the Lower house desired to withdraw to take the Advice of their house

Saturday Morning May the 25.<sup>th</sup> the Conferees of both houses met in the Conference Chamber and the Conferees of the Lower house tendered to the Conferees of the Upper house a verbal Message from their House which the Conferees of the Upper house Refused to Accept unless they would permit the Conferees of the Upper house to Reduce the same to Writing for the help of their Memory and to prevent Mistakes, which the Lower house would not agree to and thereupon withdrew—Soon after the Conferees of both houses met again and the Conferees of the Lower house delivered the following Instructions in writing viz.<sup>1</sup> We are directed by the Lower house of assembly to acquaint your honours that they/for the Reasons Assigned Yesterday/will not depart from their Resolution, upon the Second Amendment proposed by the Upper house to the Bill for his Majestys Service, and in order that an End be put to the Conference desire to know the final Resolution of the Upper house whether they will Agree to that part of the Bill as it was Sent up from the Lower house to which if the upper house doth Concede We are at large to proceed to the Other Amendments—The Conferees of the Upper

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house desire to withdraw to acquaint their house therewith—And in the Afternoon the Conferees met again and delivered the Conferees of the Lower house the following Answer in writing viz. In answer to what you have delivered to us by the direction of your house We are Instructed by the Upper house to Say that by our Second Amendment of the Bill for his Majestys Service all the purposes of that Service will be effectually Answered than by the Bill as it was Sent up from your house and Referr you to the Reasons We gave you yesterday in Answer to your Objections which as you have not been pleased to Confute we think Sufficient to Support our Amendment and therefore cannot Recede from it upon the force of those Objections.—

Upon Reading whereof the Conferees of the Lower house declared that their house would not agree thereto and therefore they could not Join in a Report Whereupon the Conference Ended.

All which is Submitted to the Consideration of the house

Signed p Order of the Conferees of the Upper house

W.<sup>m</sup> Wilkins Clk

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time the Bill Entituled an Act for issuing Writts of Replevin out of the County Courts within this Province—and the Bill entituled An Act for the Security of his Majestys Dominion and to prevent the growth of Popery within this Province and will not pass, Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

Two Engrossed Bills from the Lower house by Mess.<sup>rs</sup> Hamilton and Williamson. The Bill Entituled an Act empowering the Rector Vestrymen and Churchwardens of Port Tobacco Parish in Charles County for the Time being to purchase a Quantity not Exceeding two acres of Land and thereon to build a Chappel of Ease in the said Parish and to empower the Justices of the said County to levy on the Taxable Inhabitants of the said Parish a Quantity of Tobacco for the uses therein mentioned—The Bill Entituled a Supplementary Act to an Act entituled an Act for the Speedy & Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer both thus Subscribed

30th May 1754

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo H.

U. H. J. Read and assented to by this house and Ordered to be so Sub-  
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The Several Paper Bills passed both houses this Session are Sent to the Lower house by Samuel Chamberlain Esq.<sup>r</sup>

Mess.<sup>rs</sup> Harrison and Hamilton from the Lower house acquaint his Excellency that their house hath no business before them

Samuel Chamberlain Esq.<sup>r</sup> is Sent to the Lower house to Acquaint the Speaker that his Excellency his immediate attendance with the  
 p. 505 Lower house in the Upper house to See the Laws Passed both houses this Session Receive the assent

The Lower house Attend and by their Speaker present to his Excellency the following Bills viz.<sup>t</sup>

An Additional Supplementary Act to the Act Entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees.

An Act to make it Penal to Forge or Counterfeit the Bills of Credit of Pensilvania New York East or West Jersey or the three Lower Counties on Delaware called Newcastle Kent and Sussex or tender the same in payment within this Province knowing them to be such

An Act for Building a Prison in Frederick County.

An Act to enable the Justices of S.<sup>t</sup> Marys County to levy a Quantity of Tobacco on the Taxable Inhabitants of King and Queen Parish in said County for the Purposes therein mentioned

An Act empowering the Rector Vestryment & Churchwardens of Port Tobacco Parish in Charles County for the Time being to Purchase a Quantity not exceeding two acres of Land and thereon to build a Chappel of Ease in the said Parish and to empower the Justices of the said County to levy on the Taxable Inhabitants of the said Parish a Quantity of Tobacco for the Uses therein mentioned

A Supplementary Act to an Act Entituled an Act for the Speedy and Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer

All which his Excellency Passed into Laws in the usual form by Sealling them with the Right honourable the Lord Proprietary his Great Seal at Arms and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province I will this be a Law.

After which his Excellency was pleased to Conclude this Session with the following Speech

Gentlemen of the Upper and Lower houses of Assembly

As I had persuaded myself that no Person who has a regard for the welfare of this or the Neighbouring Provinces, could hear without Emotion of the designs and Attempts of our Enemies to make themselves Masters of his Majestys Territories on this Continant,



and as I was Induced to think that none of us would Choose to  
 Remain indifferēt Spectators while other his Majestys good Sub-  
 jects around us should be Vigorously exerting themselves to Support  
 his Majestys just Right and pretentions as well as in defence of their  
 own and our properties; I did indeed Indulge myself with the hopes  
 of Seeing you wave at this Season every thing that might possibly  
 afford Occasion for dispute and mutually Concur in making such  
 Provision for the Encouragement of the important interprize now  
 carrying on by our fellow Subjects near the River Ohio as would  
 have left no Room for any distinction to be made between our Zeal  
 and that which has been Shewn by the Neighbouring Colonies on  
 this Occasion; But though your Resolution will not permit me to  
 expect the full Completion of my wishes till fresh Advices or In-  
 structions may lay me under the necessity of convenening you again  
 yet I must take leave of you at this time without expressing Some  
 Satisfaction at your treatment of my Message Relating to the Letter  
 from the Lords of Trade and at your enabling me to pay due Obe-  
 dience to his Majestys Pleasure thereby Signified

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Your desire to return at present to the Care of your domestic  
 affairs prevails on me with the Advice of his Lordships Council of  
 State to Prorogue this assembly to the third Tuesday in July next  
 and you are to take Notice that you are prorogued accordingly

Thus Ends this Session of Assembly begun and held at the City  
 of Annapolis on Wednesday the 8th day of May and Ending on  
 Tuesday the 30th day of the same Month in the 4th year of his  
 Lordships Dominion and in the 27th year of his Majestys Reign  
 Annoq Domini 1754.

J Ross Cl Up H

# PROCEEDINGS

## OF THE

### LOWER HOUSE OF ASSEMBLY

L. H. J. At a Session of Assembly held at the City of Annapolis, on Wednesday the 8th Day of May, in the Year of our Lord 1754, and in the Fourth Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore &c. (His Excellency Horatio Sharpe, Esq; being Governor,) appeared in the Lower House of Assembly,

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The Honourable Philip Hammond, Esq; Speaker.

For St. Mary's County.

For Dorchester County,

Col.<sup>o</sup> Henry Hooper,  
Major Henry Travers,  
M.<sup>r</sup> Joseph Cox Gray.

For Kent County,

Cap.<sup>t</sup> Alex. Williamson.

For Baltimore County,

M.<sup>r</sup> William Govane,  
M.<sup>r</sup> Lloyd Buchanan,  
M.<sup>r</sup> John Paca.

For Anne Arundel County,

Doctor Charles Carroll,  
Major Henry Hall,  
Cap.<sup>t</sup> John Gassaway.

For Cæcil County,

M.<sup>r</sup> Nicholas Hyland.

For Calvert County,

M.<sup>r</sup> James John Mackall,  
M.<sup>r</sup> Benjamin Mackall,  
M.<sup>r</sup> Thomas Reynolds,  
M.<sup>r</sup> Edward Gantt.

For Prince George's County,

M.<sup>r</sup> William Murdock,  
M.<sup>r</sup> George Frasier,  
M.<sup>r</sup> John Hawkins.

For Charles County,

Cap.<sup>t</sup> Arthur Lee,  
M.<sup>r</sup> Bayne Smallwood.

For the City of Annapolis,

M.<sup>r</sup> Walter Dulany.

For Queen Anne's County,

Cap.<sup>t</sup> William Hopper.

For Somerset County,

M.<sup>r</sup> Joseph Gillis,  
M.<sup>r</sup> John Handy.

For Worcester County,

Major John Purnell,  
Cap.<sup>t</sup> John Evans,  
Col.<sup>o</sup> John Scarborough.

For Talbot County,

For Frederick County,

M.<sup>r</sup> John Goldsborough,

Daniel Dulany, Esq;

M.<sup>r</sup> Matthew Tilghman.

M.<sup>r</sup> Joseph Chapline,

M.<sup>r</sup> Nathan Magruder.

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A sufficient Number of the Members of the Lower House of Assembly being convened at the Stadt-House, Ordered, That Col. Hooper and Mr. J. Goldsborough do acquaint his Excellency the Governor therewith: They return and acquaint Mr. Speaker with their having delivered the Message.

Col. Hammond, and Samuel Chamberlaine, Esq; from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately, in the Upper House. p. 416

Mr. Speaker left the Chair; and (attended by the Members of the Lower House) went to the Upper House; where his Excellency made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

I am very much concerned that the great Progress, the vast Preparations, and the avowed Designs of our common Enemy, whose Encroachments and Depredations on his Majesty's Territories, occasioned our last Meeting, have necessitated the neighbouring Governments to repeat again, most earnestly, their Sollicitations for us to engage and unite with them, in supporting his Majesty's just Right and Pretentions to these his American Dominions, at this Time attacked and invaded. Some Letters and Papers that I shall submit to your Perusal, will shew to what a Pass Matters are already come: what Armaments have been and are now making against us; what Wrongs and Indignities the Enemy hath already offered; with what Arrogance they presume to obstruct the Freedom of a Commerce that has been enjoyed by our Ancestors, without Interruption, ever since the English first made Settlements on the Continent.

The particular and express Orders which his Majesty has been pleased to give for raising Fortresses on the Ohio, and the Resolutions taken in a neighbouring Colony, after the most abundant Caution, as they serve to confirm me in my private Opinion, concerning the indubitable Property of the Country Westward of these Provinces, may, I hope, with some Effect be urged to obviate and remove such Scruples and Doubts as have lately been started, about the Extent of his Majesty's American Dominions.

Did I think such Motives were wanting, I might set before you the Examples of the several Provinces around us, to warm and incite you to a generous Emulation of the laudable Zeal they have shewn for the common Cause, and to a just Resentment of the Insults that have been offered the British Name and Dignity: But from a Persuasion that you will be actuated by more noble Principles, than such as arise from the Fear of Censure, I shall satisfy

L. H. J. myself with reminding you, that the Enterprize which the Virginians  
 Liber No. 47 have begun, and the neighbouring Governments unanimously en-  
 May 8 gaged to prosecute, is undertaken for the Preservation of our com-  
 p. 417 mon Safety, and that it's Miscarriage must be productive of the most  
 fatal Consequences: A due Reflection on this, I am willing to believe,  
 will sufficiently prompt you to a Performance of the Duty we owe  
 our Sovereign, our Fellow Subjects, Ourselves, and our Posterity.  
 How conducive it would be to the Success of this important Expe-  
 dition, and to our future Security, to prevail on those Indian Nations,  
 whom the Artificers and Insinuations of our Enemy have hitherto  
 been unable to seduce, to espouse our Cause vigorously at this criti-  
 cal Juncture, I leave your own Reason to suggest to you; That and  
 the cogent Arguments contained in some Letters that shall be offered  
 to your Consideration, will, I am persuaded, convince you of the  
 indispensable Necessity there is of complying with his Majesty's  
 Pleasure, signified to us by the Lords of Trade, concerning an Inter-  
 view with the Six Nations at Albany; and will also induce you to  
 consent that the Commissioners from this Province, be vested with  
 Power and Liberty to concert Measures, and stipulate with the  
 several Persons that may be deputed thither by the other Provinces,  
 for building Forts and Places for the Reception and Defence of the  
 Indian Wives and Families on Occasion, who must otherwise (while  
 the Warriors are engaged from home in our Service) be deserted  
 and abandoned to the Rage of their incensed and revengeful Enemies.

Upon no Account would I divert your Attention from what has  
 been now premised; but as I conceive that the Pleasantness of the  
 Season will, after the Dispatch of what I have been recommending  
 to have the first Place in your Consultations, tempt you to proceed  
 to other Business, I cannot but take Occasion to acquaint you, with  
 the Pennsylvania Government's having shewed some Inclination to  
 pass a Law, for the more effectual Punishment of such Persons as  
 shall counterfeit and utter, among them, the Paper Currency of this  
 and the other Provinces; as such an Act would be an additional Sup-  
 port to the Credit of our Currency, I flatter myself you will encour-  
 age it's being passed, by preparing a similar Law for the Support  
 of the Credit of their Paper Currency among us.

The excessive Charge and Burthen this Country is at present  
 subjected to, by the great Increase of Pensioners in several of our  
 Counties, I believe, might be hinted at, as calling for, and capable  
 of, a Remedy; if it be truly represented, that the Distribution of the  
 great Sums, annually collected for the Relief of the Poor, as it is now  
 made, instead of being an Encouragement to and Reward of Indus-  
 try, proves too frequently an Incitement only to Debauchery and  
 Idleness.

Shall I also take the Liberty of intimating what considerable Bene-  
 p. 418 fit must accrue to the Inhabitants, and what Honour must redound

to yourselves, from the Foundation of a more perfect and more public Seminary of Learning in this Province; a Scheme This, long since put in Execution among our Neighbours, to whom our Youth are still obliged, much to the Disadvantage and Discredit of this Province, to recur for a liberal Education: Of such an Establishment, your Descendents and late Posterity will reap the Advantage, and remember the present Age with Gratitude. From my Knowledge of what vast Pleasure and Satisfaction his Lordship receives, from being able to contribute to, and promote, the Reputation, Honour and Prosperity of his Province, I will presume to encourage you to expect something more than his bare Approbation of such a Proposal.

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Mr. Speaker (with the other Members) returned to the Lower House, and re-assumed the Chair.

Ordered, That the Rules of the House observed last Session, be observed as such this Session.

Ordered, That the Gentlemen that were on the several Committees last Session, be continued thereon this Session.

Resolved, That the Hours of Sitting this Session, be from Nine of the Clock in the Morning, until Twelve, and from Two of the Clock Afternoon, until Six.

Ordered, That Mr. W. Dulany do acquaint the Reverend Mr. Myers, That he is desired by this House, to read Divine Service at 7 of the Clock in the Morning, and at 6 of the Clock Afternoon, during this Session.

On motion, Ordered, That Mr. Speaker do issue his Warrant, directed to the Secretary of this Province, to make out a new Writ of Election, directed to the Sheriff of Worcester County, to elect a Delegate to serve in this Assembly, in the room of Col. John Selby, deceased.

The House adjourns till the morrow Morning at 9 of the Clock.

Thursday, May 9, 1754.

May 9

The House met according to Adjournment: The Members were called and all appeared as Yesterday. The Proceedings were read.

Mr. Crabb and Mr. Edmondson appeared in the House.

On reading the Governor's Speech to both Houses, at the Opening of this Session,

Ordered, That the Committee of Laws do prepare and bring in an Address to his Excellency thereon.

On motion, Ordered, That the Committee of Grievances do enquire into the Amount of the Allowances, made by the several County Courts in this Province, to the Poor for Three Years past.

L. H. J. and that such Committee have Power to send for Persons, Papers,  
 Liber No. 47 and Records, necessary for such Enquiry.  
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The House adjourns until 2 of the Clock.

Post-Meridiem.

p. 419 The House met according to Adjournment.

Doctor Alexander Hamilton appeared in the House.

On motion, That this House do proceed to take his Excellency the Governor's Speech into Consideration,

Resolved, That this House will on Tuesday next, take into Consideration the Subject Matter contained in his Excellency's Speech.

The House adjourns till the morrow Morning at 9 of the Clock.

May 10

Friday, May 10, 1754.

The House met according to Adjournment, &c. all appeared as Yesterday, &c.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Bond, Major Barnes, Mr. Mills, and Mr. Key, appeared in the House.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

On motion, Ordered, That a Warrant be made out, directed to the Serjeant at Arms, to take into his Custody Mr. William Rasin, Sheriff of Kent County, and bring him to the Bar of this House, to shew Cause why he doth not return the Writ of Election, directed to him as Sheriff to elect a Delegate for said County, according to the Tenor thereof, and also the Indentures signed between him and the Electors of Kent County aforesaid, at the last Election.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following ingrossed Address, viz.

May it please your Excellency,

We, his Majesty's most loyal and dutiful Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, do, with sincere Hearts, return your Excellency our unfeigned Thanks for your kind and affectionate Speech, at the Opening of this Session.

We shall give that serious Attention, to the Matters recommended to us by your Excellency, relative to the Incroachments of the French on his Majesty's Territories, and engaging the Friendship of the

Six Nations, which the interesting Nature and Importance of the Subject require.

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We shall ever pay a great Regard to your Excellency's Recommendations to us; and do very thankfully receive, as the strongest Instances of your kind and good Intentions for the Ease and Welfare of this Province, your Proposals to fall upon some Methods to relieve ourselves from the excessive Charge and Burthen of Pensioners; and to Erect a more perfect and public Seminary of Learning: And we assure your Excellency, nothing shall be wanting on our Parts to promote and forward what we are fully convinced must be so generally advantageous to the Country.

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Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Tilghman, and Major Barnes, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor was pleased to signify he was ready to receive the Address immediately, in the Conference Chamber.

Ordered, That Col. Hooper, and Fourteen more, do present the Address.

The House adjourns till the morrow Morning at 9 of the Clock.

Saturday, May 11, 1754.

May 11

The House met according to Adjournment.

On motion, Ordered, That it be an Instruction to the Committee for inspecting the Loan Office, to order the Commissioners of the said Office, to make out a distinct Account, to be kept in the said Office, of the Amount of Interest arising on the several Loans made out of the Principal Money first emitted, to the 10th Day of April last, and that a Copy of such Account be immediately made out, by the said Commissioners of the Loan-Office, and delivered to the Committee appointed by both Houses to inspect the Office and Proceedings of the said Commissioners; and also a distinct Account of what Sums are now due on any Loans made to the Public on Acts of Assembly, distinguishing each Service and Act whereupon the same is due; as also the Ballances now due from any Sheriffs, or others, on Account of the said Acts, and a general Account of the Stock of the said Office, as it now stands.

On motion, That a Bill be brought in, For issuing Writs of Replevin out of the County Courts: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, That a Bill be brought in, To prevent Danger arising from the Importation of Irish and Scotch Convicts: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

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On motion, That a Bill be brought in, To exempt Ship-wrights, and others, when working in Ship-Yards in building Ships or other Vessels, from being summoned to attend in repairing the Public Roads: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till Monday Morning at 9 of the Clock.

May 13

Monday, May 13, 1754.

The House met according to Adjournment: The Members were called and all appeared as on Saturday. The Proceedings were read.

Mr. C. Goldsborough, Mr. Oldham, Mr. Tillotson, Mr. Hollyday, Mr. Gresham, and Mr. Stoddert, appeared in the House.

The following Message, viz.

By the Lower House of Assembly, May 13, 1754.

May it please your Honours,

This House hath appointed Major Barnes, Capt. Bond, Col. Harrison, Mr. W. Dulany, and Capt. Lee, a Committee to inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly, and desire your Honours to appoint One or more of your House to join in the said Committee.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, by Major Barnes and Mr. Bond.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the following Message, viz.

By the Upper House of Assembly, May 13, 1754.

Gentlemen,

This House hath named Richard Lee, Esq; to join the Persons appointed by your House to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order, J. Ross, Cl. Up. Ho.

p. 422 His Excellency communicated to Mr. Speaker, the following Answer to the Address of this House, viz.

Gentlemen of the Lower House of Assembly,

Not to be highly pleased and affected with your most polite Address, would argue in me great Insensibility. Your giving so favourable a Hearing, to what a sincere Regard for the Honour and Prosperity of this Province, incited me to recommend to your Notice, challenges my kindest Acknowledgements; and the Disposition you shew to embrace this Opportunity of testifying your Duty to his Majesty, and your Vigilancy for the Safety of your Constituents, affords me such Satisfaction and Pleasure, as cannot receive Addition, but from seeing you make such Provision as the Importance



and interesting Nature of the Matters, at present under your Deliberation, do require and demand.

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Hor.<sup>o</sup> Sharpe.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Col. Harrison and Capt. Addison appeared in the House.

Mr. Hugh Wallis, a Delegate returned to serve in this Assembly, for Kent County, appeared in the House.

Ordered, That Mr. Gresham, and Mr. Williamson, do go to the Upper House to see him qualified: They return, and acquaint Mr. Speaker, they saw him qualified in the usual Manner.

The Gentleman took his Seat in the House.

The Serjeant at Arms having made a Return, that by Virtue of the Order of the Lower House of Assembly to him directed, he had taken into Custody Mr. William Rasin, Sheriff of Kent County, who was ready to attend according to Order of the House.

Ordered, That Mr. William Rasin do appear at the Bar of the House, in Custody of the Serjeant.

Mr. Rasin appeared accordingly, and acquainted Mr. Speaker, that he had directed his Deputy, one of the Under-Sheriffs of Kent County, to return the Writ of Election, which had been directed to him as Sheriff of Kent County, to elect a Delegate for the said County, and the Indenture thereto annexed, with the Return thereon by him made, with all convenient Speed, which his said Deputy had neglected to do, but that he had now brought the said Writ of Election, and annexed Indenture thereto, with the Return made thereon, and humbly submitted the same to the Consideration of the House. p. 423

Ordered, That Mr. Rasin do withdraw.

The House having considered Mr. William Rasin's Excuse and Submission, made at the Bar: Ordered, That the Committee of Accounts do tax the Fees due to the Officers of the House, on the Complaint against William Rasin, Sheriff of Kent County, for omitting to return the Writ of Election, and Indentures, signed at the last Election for said County.

On motion, Ordered, That this House do proceed to take into Consideration on Thursday next, being the 16.<sup>th</sup> Instant, that Part of his Excellency's Speech which recommends a Foundation of a more perfect and public Seminary of Learning, and at the same Time, to take into Consideration the several Laws that have been made for Establishment of Public and County Schools within this Province.

Mr. J. Goldsborough, from the Committee of Accounts, delivers to Mr. Speaker, the following Report, viz.

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By the Committee of Accounts, May 13, 1754.

In Pursuance of an Order of the House of Delegates, we have proceeded to tax the Fees and Charges due to the Officers of the House, on a Complaint against William Rasin, Sheriff of Kent County, for omitting to return the Writ of Election, and Indenture signed between him, as Sheriff aforesaid, and the Electors of the County aforesaid, at the last Election, viz

To the Clerk,	£. 0 3 0
To the Serjeant, for a Messenger,	1 10 0
To Ditto, for Ferriages and Expences,	0 14 6
To Ditto, for serving the Precept,	0 3 0
	<hr/>
	£. 2 10 6

Which is humbly submitted to the Consideration of the honourable House.

Signed per Order, Beale Nicholson, Cl. Com.

Ordered, That Mr. Rasin do pay the Fees taxed in the said Report, and on Compliance therewith, he be discharged from his further Attendance on this House.

The House adjourns till the morrow Morning at 9 of the Clock.

May 14

Tuesday, May 14, 1754.

p. 424 The House met according to Adjournment, &c.

In Pursuance of the Order of the Day, the House took into Consideration that Part of his Excellency's Speech relating to the Preparations, Designs, Armaments, Incroachments, and Depredations, made by the French on his Majesty's Territories and Dominions in America, enjoyed by our Ancestors without Interruption. And,

Resolved unanimously, That a Sum of Money be raised, to be made a Present to the Six Nations of Indians, on their Meeting at Albany, in June next, with the several Commissioners to be sent thither from the several Governments on this Continent: And also, that a Sum of Money be raised for the Assistance of the Virginians, now attacked and invaded by the French.

Ordered, That Mr. Key, Mr. Williamson, Doctor Carroll, Mr. J. Mackall, Mr. Stoddert, Mr. Handy, Mr. J. Goldsborough, Col. Hooper, Mr. Buchanan, Mr. Hyland, Mr. Murdock, Mr. W. Dulany, Mr. Hollyday, Mr. Purnell, Mr. D. Dulany, Mr. Tilghman, and Mr. C. Goldsborough, be a Committee to enquire into Ways and Means for raising Money sufficient for the Purposes aforesaid, and Report the same to the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

L. H. J.  
Liber No. 47  
May 14

The House met according to Adjournment.

The House adjourns till the morrow Morning at 9 of the Clock.

Wednesday, May 15, 1754.

May 15

The House met according to Adjournment, &c.

Mr. Pearce, Capt. Earle, and Major Ridgely, appeared in the House.

Col. Hooper, from the Committee appointed for enquiring into Ways and Means for raising Money sufficient for a Present to the Six Nations of Indians, &c. delivers to Mr. Speaker the following Report, viz.

By the Committee appointed by the Honourable House of Delegates, for enquiring into Ways and Means for raising Money sufficient for a Present to the Six Nations of Indians; and also, a Sum of Money to be raised for the Assistance of the Virginians, now attacked and invaded by the French.

Your Committee agree upon the following Ways and Means for raising Money, for the Purposes aforesaid, viz.

	l.	s.	d.
An Assessment on all Coaches, Chairs, Chaises, and Chariots, or such like Carriages, each Wheel, per Annum	0	5	0
On all Ordinary Licenses, an Addition of	1	0	0
On all Servants imported into this Province, to serve for the Term of 7 Years or upwards, each	1	0	0
On all imported Servants to serve by Indenture, for less than 7 Years, or Custom of the Country, each	0	5	0
On all Negroes imported into this Province, an Addition of	0	10	0
On all Licenses (to be granted) to Hawkers and Pedlars. each License, per Annum.	3	0	0
On every Decree in the high Court of Chancery, Dismissal, or Agreement, or other End on any Suit hereafter to be brought,	0	10	0
On every Judgment, Agreement, Discontinuance, or other End of any Suit brought or determined in the Provincial Court, except Abatement by Death, and Suits already commenced,	0	5	0
On every Judgment, Agreement, Discontinuance, or other End of any Suit hereafter to be brought or determined in the County Court, except Abatement by Death, and Suits already commenced,	0	1	6

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L. H. J. All which is submitted to the Consideration of your Honourable  
 Liber No. 47 House.  
 May 15

Signed per Order, Thomas Johnson, junr. Cl. Com.

Was read and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The Question was put, Whether this House will now proceed to mention the several Sums this House will grant for a Present to the Six Nations of Indians, &c. and for the Assistance of the Virginians, or Not? Resolved in the Affirmative.

The Question was put, Whether 500 l. or 650 l. Current Money, be granted for a Present to the Six Nations of Indians, and to defray the Expence of the Commissioners to Albany? Resolved that the Sum of 650 l. be granted.

The Question was put, Whether the Sum of 3000 l. Current Money, or 4000 l. Current Money, be granted for the Assistance of the Virginians? Resolved that the Sum of 3000 l. Current Money, be granted.

For Three Thousand Pounds.

Bond,	Smallwood,	Paca,
Mills,	Harrison,	Hyland,
Williamson,	Gillis,	Pearce,
Gresham,	Handy,	Addison,
Wallis,	J. Goldsborough,	Murdock,
Carroll,	Oldham,	Frasier,
Hall,	Edmondson,	Hawkins,
Gassaway,	Tilghman,	Tillotson,
J. J. Mackall,	Hooper,	Hollyday,
Reynolds,	Travers,	Purnell,
Gantt,	Gray,	Evans,
Lee,	Govane,	Scarborough,
Stoddert,	Ridgely,	Magruder. 39

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For Four Thousand Pounds.

Barnes,	Buchanan,	Hopper,
Key,	Earle,	D. Dulany,
B. Mackall,	W. Dulany,	Crabb,
C. Goldsborough,	Hamilton,	Chapline. 12

On reading the Report brought in by the Committee for considering Ways and Means, &c. The Question was put, Whether the House agrees to the several Taxes to be made on Suits in Chancery, and in the Provincial and County Courts, as therein reported, or Not? Resolved in the Affirmative.

For the Affirmative.

L. H. J.  
Liber No. 47  
May 15

Bond,	Handy,	Frasier,
Barnes,	J. Goldsborough,	Hawkins,
Mills,	Oldham,	W. Dulany,
Key,	Tilghman,	Hamilton,
Hall,	Hooper,	Hopper,
Gassaway,	C. Goldsborough,	Hollyday,
J. J. Mackall,	Govane,	Purnell,
B. Mackall,	Buchanan,	Evans,
Gantt,	Paca,	Scarborough,
Stoddert,	Hyland,	D. Dulany,
Smallwood,	Earle,	Crabb,
Harrison,	Addison,	Chapline,
Gillis,	Murdock,	Magruder. 39

For the Negative.

Williamson,	Reynolds,	Gray,
Gresham,	Lee,	Ridgely,
Wallis,	Edmondson,	Pearce,
Carroll,	Travers,	Tillotson. 12

The Question was put, Whether a Tax be laid upon all Offices of Profit within this Province, to be applied to the Assistance of the Virginians, or Not? Resolved in the Affirmative.

For the Affirmative.

Williamson,	Smallwood,	Murdock,
Gresham,	Handy,	Frasier,
Wallis,	Oldham,	Hawkins,
Carroll,	Edmondson,	Tillotson,
Gassaway,	Travers,	Purnell,
J. J. Mackall,	Gray,	Crabb,
B. Mackall,	Buchanan,	Chapline,
Reynolds,	Ridgely,	Magruder.
Gantt,	Hyland,	
Lee,	Addison,	28

For the Negative.

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Bond,	J. Goldsborough,	W. Dulany,
Barnes,	Tilghman,	Hamilton,
Mills,	Hooper,	Hopper,
Key,	C. Goldsborough,	Hollyday,
Hall,	Govane,	Evans,
Stoddert,	Paca,	Scarborough,
Harrison,	Pearce,	D. Dulany.
Gillis,	Earle,	23

L. H. J.  
Liber No. 47  
May 15

The Question was put, That the Sums to be paid in every Action to be brought in the several Courts, mentioned in the Report of the Committee for Ways and Means, &c. shall be paid by the Plaintiff, at the Issuing of every first Writ or original Process, and not to be taxed in the Bill of Cost? Resolved in the Affirmative.

The House adjourns till the morrow Morning at 9 of the Clock.

May 16

Thursday, May 16, 1754.

The House met according to Adjournment, &c.

On motion, Ordered, That Doctor Carroll, Mr. Lee, Mr. Murdock, Mr. Buchanan, Mr. Smallwood, and Capt. Addison, be a Committee to Tax all Offices of Profit within this Province, to be applied for his Majesty's Service, and make their Report to the House.

In Pursuance of the Order of the Day, the House took into Consideration that Part of his Excellency's Speech, relating to the Foundation of a Seminary of Learning in this Province.

The Question was put, Whether the Fund now appropriated for the several County Schools, and the Money which may arise on the Sale of the Lands and Houses which appertains to the several County Schools, be applied towards the Erection of One Public Seminary for Learning within this Province, or Not? Resolved in the Affirmative.

#### For the Affirmative.

Bond,	Smallwood,	Addison,
Barnes,	Harrison,	Murdock,
Mills,	J. Goldsborough,	Frasier,
Key,	Tilghman,	Hawkins,
Carroll,	Hooper,	W. Dulany,
Hall,	C. Goldsborough,	Hamilton,
Gassaway,	Govane,	Hopper,
J. J. Mackall,	Buchanan,	Hollyday,
B. Mackall,	Ridgely,	D. Dulany,
Reynolds,	Paca,	Crabb,
Gantt,	Hyland,	Chapline,
Lee,	Pearce,	Magruder.
Stoddert,	Earle,	

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#### For the Negative.

Williamson,	Oldham,	Purnell,
Gresham,	Edmondson,	Evans,
Wallis,	Travers,	Scarborough.
Gillis,	Gray,	
Handy,	Tillotson,	

13

Ordered, That the Committee of Laws do make an Enquiry into Ways and Means to raise a Fund, for the Establishment of One Public Seminary for Learning in this Province, and Report the same to the House.

L. H. J.  
Liber No. 47  
May 16

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Smallwood, from the Committee appointed to Tax the Public Offices of Profit, &c. delivers to Mr. Speaker the following Report, viz.

By the Committee appointed by the Honourable the Lower House of Assembly to Tax the Public Offices of Profit, &c. the 16th Day of May, Anno Domini 1754.

Your Committee, in Obedience to the Order of your Honourable House, have taxed the several Offices herein after named, the Sums annexed to their respective Offices yearly, until the Money now to be raised, for his Majesty's Service, for Presents to the Six Nations of Indians, and for the Expences of the Commissioners who shall attend at Albany to deliver the same; as also the Money to be raised for the Use of the Colony of Virginia, shall be repaid, viz.

Secretary, at 5 l. per Annum,	£. 5 0 0
Commissary General, ditto,	5 0 0
Judge of the Land Office, ditto,	5 0 0
Five Naval Officers, at 40 s. each, per Annum,	10 0 0
Fourteen County Clerks, at 20 s. each, ditto,	14 0 0
Fourteen Sheriffs, at 20 s. each, ditto,	14 0 0
Examiner General, at 20 s. per Annum,	1 0 0
Fourteen County Surveyors, at 10 s. each, ditto,	7 0 0
	<hr/>
	£. 61 0 0

Which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

Which was read and the House concurred thereto.

Resolved, That so much Sterling Money as will amount to the Sum of 500 l. Current Money, at the Difference of Exchange, be taken out of the Treasurers Hands, to be disposed of to purchase Goods, &c. to be made a Present to the Six Nations of Indians, on their Meeting with the Commissioners at Albany, in June next.

On motion, the Question was put, Whether the Sum of 150 l. Current Money, which is to defray the Expence of the Commissioners

L. H. J. to Albany, &c. and the Sum of 3000 l. for his Majesty's Service, be  
 Liber No. 47 taken out of the Loan-Office; or out of the Treasurers Hands of this  
 May 16 Province?

Resolved that the said Two Sums of Money be taken out of the Loan-Office.

For taking the Money out of the Loan Office,

Carroll,	Handy,	Hyland,
Hall,	Oldham,	Pearce,
Gassaway,	Edmondson,	Addison,
J. J. Mackall,	Tilghman,	Frasier,
Gantt,	Hooper,	Hawkins,
Lee,	Travers,	Evans,
Stoddert,	Gray,	Scarborough,
Smallwood,	Paca,	Chapline. 24

For taking the Money out of the Treasurer's Hands,

Bond,	Reynolds,	Hopper,
Barnes,	Harrison,	Tillotson,
Mills,	Gillis,	Hollyday,
Key,	Ridgely,	D. Dulany,
Williamson,	Earle,	Crabb,
Gresham,	Murdock,	Magruder.
Wallis,	W. Dulany,	
B. Mackall,	Hamilton,	22

The House adjourns till the morrow Morning at 9 of the Clock.

May 17

Friday, May 17, 1754.

The House met according to Adjournment, &c.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment.

On motion, Leave given, to bring in An additional Supplementary Bill to the Act intituled, An Act for amending the Staple of Tobacco, &c. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

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On motion, Ordered, That the Committee of Accounts do not receive any Accounts for Claims against the Public after next Tuesday.



Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill intituled, An Act for his Majesty's Service; which was read the first Time and ordered to lie on the Table.

L. H. J.  
Liber No. 47  
May 17

The House adjourns till the morrow Morning at 9 of the Clock.

Saturday, May 18, 1754.

May 18

The House met according to Adjournment, &c.

The Bill intituled, An Act for his Majesty's Service; was read the second Time and will pass, and was sent to the Upper House by Mr. C. Goldsborough, and Mr. Handy.

The House adjourns till Monday Morning at 9 of the Clock.

Monday, May 20, 1754.

May 20

The House met according to Adjournment: The Members were called and all appeared as on Saturday. The Proceedings were read.

On motion, Leave given, to bring in a Bill, To make it Penal to forge or counterfeit the Bills of Credit of Pennsylvania, New-York, Jerseys, and the Three Lower Counties on Delaware-Bay, or tender the same in Payment, within this Province, knowing them to be such: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Leave given, to bring in a Bill, For the Adjournment of the Provincial Court: Ordered, That the Committee of laws do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Henry Waggaman appeared in the House.

Major Barnes brings in, and delivers to Mr. Speaker, the following Report, viz.

Maryland, ss.

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly;

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Were Present,

The Honourable Richard Lee, Esq; of the Upper House;

Major Abraham Barnes,	} of the Lower House.
Capt. Zachariah Bond,	
Col. Richard Harrison,	
Capt. Arthur Lee, And,	
Mr. Walter Dulany,	

L. H. J. Who make Choice of and appoint the Honourable Richard Lee,  
 Liber No. 47 Esq; Chairman, and Richard Dorsey their Clerk; and agree to make  
 May 20 the following Report, viz.

Your Committee are informed by the Commissioners for emitting Bills of Credit as aforesaid, That there is due to the Office, for Interest on Loans to the 10th Day of April last, the Sum of 465 l. 4 s. 8 d.

And your Committee find, by inspecting the Office Books, That there remains of the 89990 l. a Ballance in the Iron Chest of 3029 l. 17 s. 2 d. 2 q. And also, That the Sum of 10513 l. 7 s. 9 d. 3 q. is still due to the Office on Loans made to the Public, as per the following Account.

Dr. The Province of Maryland, to the Paper Currency Office.	l.	s.	d.	q.
To Ballance of an Account, for Money taken out of the Office by Acts of Assembly, made in the Years 1734, 1736, and 1737, for defraying Part of the Public Charge,	3388	15	09	3
To ditto, for Money taken out by Act of Assembly, in the Year 1740, for defraying Part of the Charge of the Expedition against Cuba,	683	03	11	
To ditto, for Money taken out by Act of Assembly, in the Year 1741, for the Relief of Charles Sewall, Esq;	404	19	01	1
To ditto, for Money taken out by Act of Assembly, in the Year 1746, for defraying Part of the Charge of the Expedition against Canada,	874	17	08	2
To Money taken out by Act of Assembly for purchasing Provisions for the Soldiers on same Expedition,	1100	08	04	
To Ballance of Accounts, for Money taken out on Account of the Inspection Law,	4061	02	11	1
	<hr/>			
	£.	10513	07	09 3

All which is submitted to the Consideration of both Houses of Assembly, this 20th Day of May 1754.

Richard Lee,  
 A. Barnes,  
 Zachariah Bond,  
 R. Harrison,  
 W. Dulany,  
 Arthur Lee.

Daniel Dulany, Esq; from the Committee of Laws, delivers to Mr. Speaker a Bill intituled, An Act for issuing Writs of Replevin out of the County Courts of this Province; and a Bill intituled, An Act for the Continuance of the Provincial Court; which Bills were severally read the first Time, and ordered to lie on the Table.

L. H. J.  
Liber No. 47  
May 20

The Bill intituled, An Act for the Continuance of the Provincial Court; was read the second Time, by an especial Order, and will pass, and was sent to the Upper House by Mr. W. Dulany, and Capt. Hopper.

The House adjourns till the morrow Morning at 9 of the Clock.

Tuesday, May 21, 1754.

May 21

The House met according to Adjournment, &c.

Mr. Bond hath Leave of Absence from the House.

The Bill intituled, An Act for issuing Writs of Replevin out of the County Courts; was read the second Time and will pass, and was sent to the Upper House by Mr. Smallwood, and Mr. Edmondson.

Col. Hooper, from the Committee of Grievances, delivers to Mr. Speaker the following Report.

By the Committee of Grievances and Courts of Justice, May 21, 1754.

It being represented to your Committee, that several Papists in St. Mary's County have made great Opposition to the enlisting Men for his Majesty's Service, in Order to march to the Ohio, to repel the Invasion of the French and Indians in Alliance with them, and offered many Insults to the recruiting Officer, as appears by a Copy of the Deposition of Serjeant Willis, John Hamwood, and John Swallow, as also a Copy of a Letter from Col. Fry, to the Rev. Mr. Henry Addison, hereunto annexed, both well attested.

Your Committee therefore humbly conceive, that such Conduct and Behaviour of the Papists, at this critical Juncture, join'd with their known Disaffection to his Majesty's Government, heretofore often manifested, requires the Consideration of your Honourable House, that some effectual Means may be used to secure this Part of his Majesty's Dominion, against our domestic as well as foreign Enemies: But is humbly submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

Mr. John Willis, Serjeant in the Virginia Regiment, being sworn on the Holy Evangelists, deposeth, That he had listed two Men, named William Bullock and William Tub, at the House of William Harris, near the Cool-Spring in Maryland; that the said William

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L. H. J. Harris, Robert Harris, and Others, first dissuaded the Recruits from  
 Liber No. 47 going with the said Officer, and afterwards seized him by the Throat  
 May 21 and took his Cutlass from him to oblige him to discharge them, which  
 he did, being over powered, and received back the enlisting Money;  
 that Gerard Jordan drank the Pretender's Health, damned him that  
 would not Pledge him, and Huzzaed for the tartan Plad and white  
 Cockade; that he also sung several disloyal Songs, and was joined  
 by Joseph Broadway and Others, that they damned King George's  
 Soldiers, and said that they had no Business to fight for him, for that  
 they were my Lord's Men, and had their Lands from him; that then  
 the said Serjeant seized his Halbert and made a Pass at Jordan, by  
 which Means he cleared the House of the Rioters, locked the Doors,  
 and placed some other Recruits as Centinels, and that he was obliged  
 to keep in the House from about One o'Clock in the Afternoon, till  
 the Evening, when some Gentlemen, coming by, reprimanded the  
 Mob, who had all that Time beset the House with Clubs and Stones.

John Hamwood and William Swallow, being sworn, confirm the  
 Deposition of Serjeant Willis, and they add, that the said Gerrard  
 Jordan cursed King George and his Soldiers.

Sworn before me, April 30,  
 John Colvill.

John Willis,  
 John Hamwood,  
 his  
 William O Swallow.  
 Mark.

We have examined this with the Original, and do affirm it to be a  
 true and faithful Copy,

Henry Addison,  
 John Addison,  
 William Murdock.

Reverend Sir.

Alexandria, April 29, 1754.

I have examined Mr. John Willis, the Serjeant who was recruiting  
 in Maryland, and he says, that he had enlisted two Men, named  
 William Bullock and William Tub, at a Public House kept by William  
 Harris, at the Cool Spring; that the said William Harris, Robert  
 Harris, and Others, first dissuaded the Recruits from going, and  
 afterwards seized the Serjeant by the Throat, and took his Cutlass  
 from him to oblige him to discharge the Men, which he did, being  
 over powered, and received back the enlisting Money; that Gerard  
 Jordan drank the Pretender's Health, success to the tartan Plad and  
 white Cockade, and damned him that would not Pledge him, that he  
 was joined in it by Joseph Broadway, and Others; they damned  
 King George's Soldiers, and said they had no Business to fight for  
 the King, for they were my Lord's Men, and had their Lands from

him; after great Noise and Disturbance of this Sort the Serjeant says, that he seized his Halbert, and made a Pass at Jordan, and by this Means cleared the House of the Rioters, locked the Doors, and placed some other Recruits as Centinels, and was obliged to keep in the House, from about One in the Afternoon, till the Evening, when some Gentlemen, coming by, reprimanded the Mob, who had all that Time beset the House with Clubs and Stones: John Hamwood and William Swallow, two of the Soldiers raised in Maryland, confirm this, and say further, that Jordan cursed King George and his Soldiers.

L. H. J.  
Liber No. 47  
May 21

Sir, I shall be glad to see you here To-morrow, for I don't know but we may march on Tuesday, having been long detained for Want of Waggons, and shall be obliged to go, I fear, with few at last.

I am, your very humble Servant,

Joshua Fry.

To the Reverend Mr. Henry Addison.

We have compared this with the Original, and do declare it to be a true and faithful Copy,

Henry Addison,  
John Addison,  
William Murdock.

Which was read and ordered to lie on the Table.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the Adjournment of the Provincial Court; indorsed, " By the Upper House of Assembly, May 21, 1754. Read the second Time, and will not pass.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Falconar appeared in the House.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for his Majesty's Service: indorsed, " By the Upper House of Assembly, May 21, 1754. Read the second Time, and will pass, with the following Amendments: p. 435

" In the 10th Line of the 3d Page, between the Words of and one, put three Hundred Pounds Sterling to the Treasurer or Treasurers for the Time being. After the Word made, in the 13th Line of the 4th Page, to the Words Thirty Shillings, in the 8th Line of 5th Page, to be left out, and the following Words inserted, to any Justice of the Peace, such Justice is hereby strictly enjoined and required to bind the said Hawker, Pedlar, or Petty Chapman, over to the next County Court, where the said Hawker, Pedlar, or Petty

L. H. J. Chapman, shall be found, there to be proceeded against according to Law. Leave out, after the Word notwithstanding in 17th Line of 5th Page, to the Word each in 16th Line of the 6th Page. After the Word Province, in 18th Line of the same Page, put as are actually in Use. Leave out, after the Words per Centum in the 11th Line of 7th Page, to the Word receive in the 5th Line of the 8th Page. In the last Line of the 8th Page, instead of the Words a Commission of two and a half per Centum, put such Commission as is usually received upon other Duties. In the 9th Line of 10th Page, after the Word them, leave out the following Words, by the several and respective Officers therein mentioned, yearly, and every Year, during the Continuance of this Act. Between the Words to and the, in 18th Line of 12th Page, put Treasurer or Treasurers for the Time being. Between the Words of and one in 19th Line of the same Page, put Three Hundred Pounds Sterling. In the 1st Line of the last Page, instead of the Words, on the Twenty fifth Day of this present Month of May, put, from and after the Publication thereof. In the 2d Line of the same Page, between the Words of and one, put Three Hundred Pounds Sterling, directed to be paid by the Treasurer or Treasurers for the Time being. In the last Line but one of the same Page, between the Words the and Commissioners, put said Treasurer or Treasurers for the Time being.

Signed per Order J. Ross, Cl. Up. Ho."

p. 436 On reading the Report brought in from the Committee of Grievances and Courts of Justice, this Day, the House unanimously concurs therewith.

Ordered, That an Address be prepared to his Excellency thereon, and that the Committee of Greivances do prepare and bring in the same.

On motion, Leave given, to bring in a Bill to ascertain Fees to the Justices of the County Courts in this Province, in Lieu of the present Allowance of 80 lbs. of Tobacco.

Ordered, That the Committee of Laws do prepare, and bring in a Bill accordingly.

On motion that a Bill be brought in, For the Security of his Majesty's Dominions, and to prevent the Growth of Popery within this Province; Leave is given.

Col. Hooper from the Committee of Laws, delivers to Mr. Speaker the following Report, viz.

By the Committee of Laws, May 21, 1754.

Your Committee, in Obedience to the Order of your Honourable House, have considered the State of the Income applied to the present County Schools, for the Years 1752 and 1753, as follows, viz.

	l.	s.	d.	q.	L. H. J. Liber No. 47 May 21
The 20 s. per Poll on Irish Servants, being Papists, and on Negroes, to the Use of Schools, we find, in the Years 1752 and 1753, on the Eastern-Shore of this Province, by the Account of Edward Lloyd, Esq; Treasurer, to amount to 105 l. 16 s. One Moiety whereof is	52	18	0		
And the Amount of the Duty of Six Pence per Barrel on Tar, and Twelve Pence on Pitch, and Twelve Pence on Pork, for the said two Years, to amount to 1 l. 18 s. 8 d. One Moiety wherof is	00	19	4		
The said 20 s. per Head on Irish Papists, and on Negroes for the Years 1752 and 1753, on the Western Shore, by Charles Hammond, Esq; Treasurer's Account of said Shore, amounts to 672 l. 10 s. 5 d. 2 q. One Moiety whereof is	336	05	2	3	
And the Amount of the Duty on Pork, Pitch, and Tar, for the said Years, on the same Shore, by the said Account is 5 l. 8 s. 9 d. One Moiety of which is	2	14	4		
					£. 392 16 10 3

There are several Fines upon Penal Acts given to the County p. 437 Schools, but the Amount of them uncertain.

And besides the foregoing Duties we propose the further following Ways and Means, viz.

Licenses on Ferries, and a Bill for the Regulation of Ferries, may bring in, per Annum,	£. 150 0 0
One Penny per Gallon on all Rum and Wine, imported, that is to say, taking off the present Duty, and lay Two Pence on all Rum and Wine, imported, One Moiety for the Public Use, and the other for a College, may amount yearly to	400 0 0

Mr. Calvert's Donation to King William School, in Annapolis, is 750 l. Sterling Bank-Stock, which produces 5 per Cent. per Annum,	£. Sterling.
Ground-Rent of Houses in Annapolis, belonging to the said School,	37 10 00
Five Hundred Acres of Land in Dorchester County, left by Col. Smithson to the said School, will sell for 30 l. Sterl. per Hundred, and may be lent on Interest, at 6 per Cent. per Annum, is	4 00 00
	9 00 00

L. H. J. And although the yearly Amount aforesaid may not be certain,  
 Liber No. 47 yet it is conceived, that one Year with another, it will be sufficient  
 May 21 to defray the annual Expence of a College.

And your Committee humbly conceive, that the Ballances in the respective Treasurers Hands, and that of Mrs. Hollyday, as Executrix of James Hollyday, Esq; late Treasurer of the Eastern-Shore, together with the Amount of the Sales of the Lands belonging to the several County Schools, will be more than sufficient to build such College, and suitable Offices; for which Purpose, your Committee submit to your Consideration the following State of the said Ballances, as they appear to them from the latest Accounts, and the Calculation of the Amount of the Sale of such Lands, viz.

	£. Sterling.	£. Currency.
Ballance in the Hands of Charles Hammond, Esq; on Account of Irish Papists and Negroes imported, by Account, in October, 1753,	238 19 10	1058 7 9 2
p. 438 Ditto, on Three Half Pence per Hogshead, in S. Hyde's Hands,	293 17 8	
Ditto, in the Hands of Edward Lloyd, Esq; on Account of Irish Papists and Negroes imported, by Account, in October, 1753.		280 5 5 3
Ditto, in the same Hands, on Pork, Pitch and Tar, by same Account,		21 7 4
Ditto, in the Hands of Mrs. Hollyday, Executrix of James Hollyday, Esq; late Treasurer,	250 18 7 3	397 9 2 2
	£. 783 16 1 3	1758 9 9 3
Deduct for Ballance lost, in Samuel Hyde's Hands ———	£. 293 17 8	
	£. 489 18 5 3	1758 9 9 3

The several Negroes, Stock, Lands, and Improvements, belonging to the County Schools, your Committee conceive, being sold, may amount to 1200 l.

And your Committee apprehend, that the School-House, belonging to King William School, on the Stadt-House Hill, in the City of Annapolis, may be converted to some Public Use.

All which is submitted to the Consideration of your Honourable House.

Signed per Order, Thomas Johnson, junr. Cl. Com.

Was read and ordered to lie on the Table.

The House adjourns till the morrow Morning at 9 of the Clock.



Wednesday, May 22, 1754.

L. H. J.  
Liber No. 47  
May 22

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. Bond.

Mr. Crabb brings in, and delivers to Mr. Speaker, a Bill intituled, An Act for the Security of his Majesty's Dominion, and to prevent the Growth of Popery within this Province; which was read the first Time, and ordered to lie on the Table.

On reading the Amendments proposed by the Upper House to the Bill intituled, An Act for his Majesty's Service; the House agreed to the several Amendments, except to the Second, Part of the Third, to the Fourth and Sixth, and ordered that a Message be sent to the Upper House to propose a Conference between the two Houses on the said Bill. p. 439

Ordered, That Doctor Carroll, Mr. Tilghman, Major Hall, Mr. Hollyday, and Mr. Murdock, do prepare and bring in such Message.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Ordered, That the Committee of Accounts do close the Journal of Accounts on the Morrow, being the 23d Instant.

The House adjourns till the morrow Morning at 9 of the Clock.

Thursday, May 23, 1754.

May 23

The House met according to Adjournment, &c.

Mr. Tilghman from the Committee appointed to prepare a Message to be sent to the Upper House, brings in and delivers to Mr. Speaker the following, viz.

By the Lower House of Assembly, May 23, 1754.

May it please your Honours,

We have considered the several Amendments proposed by your Honours to the Bill For his Majesty's Service, and from an earnest Inclination to promote and forward it, are induced to agree to many of them; but as there are some, to which we cannot agree, therefore, and to keep up that good Understanding which ought to subsist between the Two Houses, and give the present Service all possible Dispatch, we desire a Conference upon the Subject Matter of these Amendments; to which, if your Honours agree, we shall appoint some of our Members to join any Members of your House that you shall be pleased to name, for this Purpose.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Which was sent to the Upper House by Mr. Tilghman and Mr. Gillis.

L. H. J. Samuel Chamberlaine, Esq; from the Upper House, delivers to  
 Liber No. 47 Mr. Speaker the following Message:  
 May 23

By the Upper House of Assembly, May 23, 1754.

Gentlemen,

In Answer to your Message of this Day by Messieurs Tilghman and Gillis, this House hath named George Plater and Philip Thomas, Esqrs. to join the Members that shall be appointed by your House, to confer upon the Subject Matter of the said Message, who will be ready to attend To-morrow Morning.

Signed per Order, J. Ross, Cl. Up. Ho.

p. 440 The following Message:

By the Lower House of Assembly, May 23, 1754.

May it please your Honours,

In answer to your Message of this Day by Samuel Chamberlaine, Esq; this House hath appointed Dr. Carroll, Mr. Tilghman, Major Hall, Mr. Hollyday, Mr. Murdock, and Mr. J. Goldsborough, to join (the Members proposed by your Honours) in a Conference To-morrow Morning.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Col. Harrison and Major Travers.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

The House met according to Adjournment.

On reading the Bill entituled, An Act for the Security of his Majesty's Dominion. and to prevent the Growth of Popery within this Province, the Question was put, Whether that Part of the Bill which relates to Conveyances made subsequent to the first Day of October, 1751, shall be altered, or Not? Resolved in the Negative.

#### For the Negative,

Williamson,	Stoddert,	Addison,
Gresham,	Waggaman,	Murdock,
Falconar,	Handy,	Frasier,
Wallis,	J. Goldsborough,	Hawkins,
Carroll,	Oldham,	Tillotson,
Gassaway,	Edmondson,	Purnell,
J. J. Mackall,	Hooper,	Evans,
B. Mackall,	Travers,	Scarborough,
Reynolds,	Gray,	Crabb.
Gantt,	Govane,	
Lee,	Hyland,	

For the Affirmative,

Barnes,	Tilghman,	Hamilton,
Mills,	Buchanan,	Hopper,
Key,	Ridgely,	Hollyday,
Hall,	Paca,	D. Dulany,
Smallwood,	Pearce,	Chapline,
Harrison,	Earle,	Magruder.
Gillis,	W. Dulany,	

L. H. J.  
Liber No. 47  
May 23

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On reading the second Time the Bill entituled, An Act for the Security of his Majesty's Dominion, and to prevent the Growth of Popery within this Province, the Question was put, Whether the said Bill will pass, or Not? Resolved in the Affirmative.

For the Affirmative,

Williamson,	Stoddert,	Hyland,
Gresham,	Waggaman,	Pearce,
Falconar,	Gillis,	Addison,
Wallis,	Handy,	Murdock,
Carroll,	J. Goldsborough,	Frasier,
Gassaway,	Oldham,	Hawkins,
J. J. Mackall,	Edmondson,	Tillotson,
B. Mackall,	Hooper,	Evans,
Reynolds,	Travers,	Scarborough,
Gantt,	Gray,	Crabb.
Lee,	Govane,	

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For the Negative,

Barnes,	Buchanan,	Hollyday,
Mills,	Ridgely,	Purnell,
Key,	Paca,	D. Dulany,
Hall,	Earle,	Chapline,
Smallwood,	W. Dulany,	Magruder.
Harrison,	Hamilton,	
Tilghman,	Hopper,	

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Which Bill was indorsed, " Read the second Time, and will pass: " and was sent to the Upper House by Mr. Murdock and Mr. Edmondson.

The House adjourns till the morrow Morning at 9 of the Clock.

Friday, May 24, 1754.

May 24

The House met according to Adjournment, &c.

On reading the Report brought in from the Committee appointed to consider of Ways and Means to raise a Fund for the Establishment of a Seminary, the House concurs therewith.

L. H. J. Ordered, That the said Committee do peruse the Will of Col.  
Liber No. 47 William Whittington, of Somerset County, relating to his Devise of  
May 24 Lands, to be sold and appropriated for the Education of Youth, and  
report the same to the House.

Ordered, That the Committee of Laws do prepare and bring in a  
Bill for the Establishment of a Seminary of Learning.

Resolved, That this House will not take into Consideration any  
new Business this Session, after Saturday the 25th Instant.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment.

Col. Hooper from the Committee of Laws, delivers to Mr. Speaker  
p. 442 a Bill entituled, An Act for granting Fees to the several Justices of  
the County Courts, and for repealing that Part of the Act of Assem-  
bly which grants an Allowance of 80 lbs. of Tobacco per Day to the  
said Justices.

And, the Bill intituled, An Act to make it Penal to forge or  
counterfeit the Bills of Credit of Pennsylvania, New-York, East or  
West Jerseys, or the Three Lower Counties on Delaware, called  
New-Castle, Kent, and Sussex, or to utter or tender the same in  
Payment, within this Province, knowing them to be such; which  
Bills were severally read the first Time, and ordered to lie on the  
Table.

Col. Hooper, from the Committe of Laws, delivers to Mr. Speaker  
a Bill entituled, An additional Supplementary Act to the Act enti-  
tuled, An Act for amending the Staple of Tobacco, for preventing  
Frauds in his Majesty's Customs, and for the Limitation of Officers  
Fees; which was read the first Time, and ordered to lie on the  
Table.

The House adjourns till the morrow Morning at 8 of the Clock.

May 25

Saturday, May 25, 1754.

The House met according to Adjournment, &c.

On reading the second Time the Bill entituled, An Act for grant-  
ing Fees to the several Justices of the County Courts, &c. the Ques-  
tion was put, Whether the following Amendments, viz. "That the  
Justices of the several County Courts shall be allowed in the County  
Levy, per Diem Fees, for Sitting in Court, and the Tax upon  
Suitors be assessed in Tobacco, and applied to the Credit of the  
County," shall be made to the Bill, or Not? Resolved in the Negative.

## For the Negative,

L. H. J.  
Liber No. 47  
May 25

Mills,	Harrison,	Hyland,
Williamson,	Waggaman,	Pearce,
Gresham,	Gillis,	Addison,
Falconar,	Handy,	Frasier,
Wallis,	J. Goldsborough,	Hawkins,
Carroll,	Oldham,	Hamilton,
J. J. Mackall,	Edmondson,	Hopper,
Reynolds,	Hooper,	Purnell,
Gantt,	C. Goldsborough,	Evans,
Lee,	Travers,	Scarborough.
Stoddert,	Gray,	Chapline,
Smallwood,	Ridgely,	Magruder.

## For the Affirmative,

Barnes,	Tilghman,	Earle,
Key,	Govane,	Murdock,
Hall,	Buchanan,	Hollyday,
Gassaway,	Paca,	Crabb.

On reading the second Time the Bill entituled, An Act for granting Fees to the several Justices of the County Courts, and for repealing that Part of the Act of Assembly which grants an Allowance of 80 lbs. of Tobacco per Day, to the said Justices; the Question was put, Whether the said Bill will pass, or Not? Resolved in the Negative. p. 443

## For the Negative,

Barnes,	Stoddert,	Frasier,
Mills,	Harrison,	Hawkins,
Key,	Tilghman,	Hamilton,
Williamson,	Buchanan,	Hollyday,
Gresham,	Paca,	Crabb,
Falconar,	Pearce,	Chapline,
Hall,	Earle,	Magruder.
Gassaway,	Addison,	
Reynolds,	Murdock,	

25

## For the Affirmative.

Wallis,	Handy,	Govane,
Carroll,	J. Goldsborough,	Ridgely,
J. J. Mackall,	Edmondson,	Hyland,
Gantt,	Oldham,	Hopper,
Lee,	Hooper,	Purnell,
Smallwood,	C. Goldsborough,	Evans,
Waggaman,	Travers,	Scarborough.
Gillis,	Gray,	

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L. H. J. Doctor Carroll, from the Conference appointed by both Houses,  
 Liber No. 47 delivers to Mr. Speaker the following Report, viz.  
 May 25

At a Conference appointed by the Honourable the Upper and Lower  
 Houses of Assembly, May 24, 1754, and met in the  
 Paper Office.

Were Present;

The Honourable { George Plater, } Esquires; Members of the  
 and }  
 Philip Thomas, } Upper House

p. 444 Doctor Charles Carroll, }  
 Mr. Matthew Tilghman, }  
 Major Henry Hall, } Members of the Lower House  
 Mr. James Hollyday, } of Assembly.  
 Mr. William Murdock, }  
 and }  
 Mr. John Goldsborough, }

Who make choice of the Honourable George Plater, Esq; Chair-  
 man, and William Wilkins Clerk.

The Conferees of the Upper House moved (as the Lower House  
 had desired the Conference), to know what your Conferees had to  
 propose, upon which your Conferees entered upon the Business as  
 follows, viz.

May it please your Honours,

The House of Delegates have desired this Conference, on the  
 proposed Amendments of your House, to the Bill, for his Majesty's  
 Service, in Hopes thereby to expedite the same, that it may be car-  
 ried into Execution, and notwithstanding their undoubted Right of  
 forming Money Bills, and granting Money, have agreed to several  
 Amendments to that Bill proposed by your House, in Order to give  
 Dispatch thereto, which Concessions they Hope will not be drawn  
 into Precedent.

And we are instructed to acquaint your Honours, that the House  
 cannot depart from their Resolution of not agreeing to the pro-  
 posed Amendment, set forth in our first Reason, and that there is a  
 Mistake in omitting to insert the Sum of 3000 l. in the Bill, in the 4th  
 Line of the 3d Page, which it is desired may be inserted in its proper  
 Place, your Conferees then delivered the following Reasons, viz.

To the Second Amendment our House cannot agree, because by  
 the Bill, as sent up, a Mode was ascertained for Recovery of the Tax  
 imposed upon Hawkers and Pedlars, and an Encouragement given  
 to Informers to prosecute, both which are struck out by the Amend-  
 ment, and no Mode prescribed for the Recovery of the Tax: As this  
 House had no Inclination to draw his Lordship's Claim to Fines and  
 Forfeitures into Question, upon this Occasion (which seems to be

done by the Amendment) all Tendency towards it was carefully avoided by the Bill; for these Reasons it is hoped their Honours will not adhere to the Amendment proposed to that Part of the Bill.

To the Fourth Amendment the House cannot agree, because they apprehend it may leave Room for evading the Tax.

To the Sixth Amendment, by which it is proposed to give the Naval Officer such Commission as is usually received upon other Duties, they cannot agree, because they think the Commission settled by the Bill is adequate to the Service; although our House have agreed to the Amendment for replacing the Money to be taken out of the Treasurer's Hands, yet they think that Amendment imperfect, as it is not ascertained what Sum of Current Money (which only can be raised by the Funds) shall be applied to that Purpose, nor what Proportion of the Money arising on each Fund shall be annually paid to the Treasurers, and what to the Commissioners of the Paper Currency Office, and therefore propose that the Sum of Four Hundred and Fifty Pounds be paid to the Treasurers, in lieu of the Three Hundred Pounds Sterling to be taken out of their Hands, and that One Eighth Part of the Money arising on each Fund be annually paid to them for that Purpose; upon which the Conferees of the Upper House said they must recur to their House for their Sense thereof: And on the next Day, being the 25th, the Conferees of both Houses met in the Conference Chamber, and the Conferees of the Upper House were pleased to deliver the following Reasons. by Way of Answer to those delivered by the Conferees of the Lower House, viz.

By your Objections to the Second Amendment, we take it for granted, you have agreed to the First, and in Answer to the Objections we say, that a Mode is ascertained for the Recovery of the Tax by a Prosecution at Law, and although nothing is particularly given by the proposed Amendment for the Encouragement of Informers, yet as it is made an Act of Duty in the several Officers mentioned therein to carry the Act into Execution, we think that is sufficient, and we had not the least Intention to draw his Lordship's Claim to the Fines and Forfeitures into Question, on which Point we are fully satisfied.

To the Objection against the Fourth Amendment, we say, we do not apprehend where Room is left for evading the Tax, and desire you would point it out to us. In Answer to your Objection to the Sixth Amendment, we say, that in our Judgment, the Naval Officers must be entitled to the same Commission as upon other Duties, unless some Reason can be assigned to the contrary. As to your last Objection, we say, that if there be any Defect in the Amendment proposed, we are willing to agree to any Alteration therein as shall be found necessary, and that the Bill may be amended accordingly; Then the Conferees of the Lower House retired to their House for further

L. H. J.  
Liber No. 47  
May 25

p. 445

L. H. J. Instructions, and met the Conferees of the Upper House in the Conference Chamber, and delivered to them the Instructions as follow, viz.  
 Liber No. 47  
 May 25

We are directed by the Lower House of Assembly to acquaint your Honours, that they (for the Reasons assigned Yesterday), will not depart from their Resolution upon the Second Amendment, proposed by the Upper House to the Bill, for his Majesty's Service; and, in Order that an End be put to the Conference, desire to know the final Resolution of the Upper House, whether they will agree to that Part of the Bill, as it was sent up from the Lower House, to which, if the Upper House doth concede, we are at large to proceed to the other Amendments; Then the Conferees of the Upper House retired to their House for Instructions, and the Conferees of both Houses being met again in the Conference Chamber, the Conferees of the Upper House delivered the following Answer, to the Conferees of the Lower House, as Instructions from the Upper House, viz.

In Answer to what you have delivered to us by the Direction of your House, we are instructed, by the Upper House, to say, that by our Second Amendment of the Bill for his Majesty's Service, all the Purposes of that Service will be more effectually answered, than by the Bill as it was sent up from your House, and refer you to the Reasons we gave you Yesterday, in Answer to your Objections; which, as you have not been pleased to confute, we think sufficient to support our Amendment, and therefore cannot recede from it upon the Force of those Objections.

Upon receiving of which, your Conferees acquainted the Conferees of the Upper House, that they conceived from the Sense of their House, that the Conference was at an End.

All which is submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

His Excellency communicates to Mr. Speaker the following Message, viz.

Gentlemen of the Lower House of Assembly,

Though I learn that the Conferees from the Upper and Lower Houses, have not been able to agree on Means for raising such Supplies as both Houses have thought expedient, for supporting the neighbouring Colonies against their and our formidable Enemies; yet your Professions at the Beginning of this Session, make me indulge myself with the Hopes of finding you disposed to comply with my present Request, by making some immediate and separate Provision for the Indian Allies.

As the Day appointed for the Interview is so near at Hand, you must be sensible that the least Delay, will absolutely make it impossible



for me to obey their Lordship's Instructions, which, I hope, will sufficiently justify this so earnest a Recommendation.

L. H. J.  
Liber No. 47  
May 25

Hor.<sup>o</sup> Sharpe.

Which was read and ordered to lie on the Table.

p. 447

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment.

The House having taken into Consideration his Excellency's Message of this Day: Resolved, That a Sum of Money, to answer the Request of his Excellency made therein, be provided for, by an Ordinance to take Money out of the Treasurer's Hands, to make an immediate Provision for the Indian Allies.

Ordered, That the Committee of Laws do prepare a Message to be sent to the Upper House to request them to join in such Ordinance.

The Question was put, Whether Current Money, or Sterling Money, be taken out of the Treasurer's Hands, for a Present to the allied Indians: Resolved that the Money to be taken out of the Treasurer's Hands be in Current Money.

For Current Money,

Barnes,	Oldham,	W. DuFany,
Key,	Tilghman,	Hamilton,
Falconar,	Hooper,	Hopper,
Harrison,	C. Goldsborough,	Hollyday,
Waggaman,	Buchanan,	Scarborough,
Gillis,	Earle,	D. Dulany,
J. Goldsborough,	Murdock,	Crabb.

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For Sterling Money,

Mills,	Stoddert,	Paca,
Carroll,	Smallwood,	Hyland,
Hall,	Handy,	Pearce,
Gassaway,	Edmondson,	Addison,
Gantt,	Travers,	Evans,
Lee,	Gray,	Chapline.

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The House adjourns till Monday Morning at 9 of the Clock.

Monday, May 27, 1754.

May 27

The House met according to Adjournment: All the Members appeared as on Saturday, except Major Purnell, Mr. Govane, Major Ridgely, Capt. Addison, and Mr. Hawkins.

L. H. J. Doctor Carroll, from the Committee appointed to enquire into the  
 Liber No. 47 Amount of the Allowances made by the several County Courts to the  
 May 27 Poor, for Three Years last past, delivers to Mr. Speaker the following Report.

By the Committee appointed by the Honourable the Lower House of Assembly, to enquire into the Amount of the Allowances made by the several County Courts for the Poor, for Three Years past, May 27, 1754.

In Obedience to the Order of your Honourable House of May the 9th, your Committee sent to the Clerk of the Council for the Returns of the Levy Lists, from the several County Clerks, for the said Three  
 p. 448 Years, but have not been able to obtain only the Returns for the Year 1753 The Amount of which Charge, in each County, is hereunto annexed, making 604,742 Pounds of Tobacco, besides the Sheriff's Commission of Six Pounds per Centum, is 36,285, and amounts in the Whole to 641,027 Pounds of Tobacco: Which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, William Wilkins, Clerk.

A List of the Amount of Allowances to Pensioners in the several Counties, in the Year 1753:

Saint Mary's County,	48,536
Charles County,	62,200
Calvert County,	16,300
Prince George's County,	55,030
Anne Arundel County,	79,818
Baltimore County,	61,105
Frederick County,	9,118
Cæcil County,	28,615
Kent County,	61,624
Queen-Anne's County,	69,318
Talbot County,	49,795
Dorchester County,	32,192
Somerset County,	19,170
Worcester County,	11,921
	<hr/>
	604,742

Which was read and ordered to lie on the Table.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency, which was read, and on the Question put, was approved.

Ordered, That the said Address be ingrossed.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following ingrossed Address, viz.

To His Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

L. H. J.  
Liber No. 47  
May 27

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message of the 25th of this Instant, we assure your Excellency, that our Actions have corresponded with our Professions at the Opening of this Session: And that for the Purposes mentioned in your Excellency's Speech, we Resolved on Ways and Means for raising a Sum of Three Thousand Pounds Current Money, to be applied for his Majesty's Service; as also Three Hundred Pounds Sterling to be laid out in a Present to the Six Nations of Indians; and One Hundred and Fifty Pounds Current Money, to defray the Expences of Commissioners to be sent to Albany to deliver the said Present, and to renew the Covenant Chain with those Indians; for which Purposes we prepared a Bill, which was sent to the Upper House, and for the Passage of which we used all the Endeavours in our Power, and made as many Concessions as was consistent with the Right and Liberty of the People we represent; and we can with Truth assure your Excellency, that the Failure of that Bill gives us the utmost Concern.

p. 449

To demonstrate our hearty Desire to secure the Friendship of our Indian Allies, we have agreed, that a Sum of Five Hundred Pounds Current Money be paid by the Treasurer of the Western Shore, to be laid out in a Present to those Indians, by such Commissioners as your Excellency shall be pleased to appoint to deliver the said Present, and renew the Covenant Chain with them; and the further Sum of One Hundred and Fifty Pounds, to be paid by the said Treasurer, to defray the Expences of the Commissioners; and have great Hopes that our Conduct upon these Occasions, will meet with your Excellency's Approbation.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Key and Doctor Hamilton, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it. They return and acquaint Mr. Speaker, his Excellency was pleased to signify he was ready to receive the Address immediately, in the Conference Chamber.

Ordered, That Mr. Key, and Five more, do present the Address to his Excellency.

The following Message, viz.

By the Lower House of Assembly, May 27, 1754.

May it please your Honours,

This House has resolved, that the Sum of Five Hundred Pounds Currency be laid out in Presents, to be delivered to the Six Nations

L. H. J. of Indians at Albany, agreeable to the Recommendation of the Lords  
 Liber No. 47 for Trade and the Plantations, and for that End propose to your  
 May 27 Honours, that both Houses may agree in an Ordinance for the Payment of the above Sum of Money, by the Treasurer of the Western Shore, to the Commissioners to be appointed by his Excellency to attend the Interview at Albany, next June, and the further Sum of One Hundred and Fifty Pounds Currency, to be paid by the said Treasurer, to defray the Expences of the Commissioners upon that Service.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

p. 450 Was sent to the Upper House by Mr. Hollyday and Mr. Earle.

Col. Hooper, from the Committee of Grievances, delivers to Mr. Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

Col. Hooper brings in, and delivers to Mr. Speaker, the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates of the said Province.

May it please your Excellency,

By a Report, made by a Committee of this House, with a Copy of a Letter and Depositions, hereunto annexed, it is apparent, that some Check is necessary to be given to Papists within this Province; and at this Time it seems more so, as the French are incroaching on all his Majesty's Territories on this Continent, and spiriting up the Indians to make Incursions and commit Hostilities on his Majesty's Subjects.

We therefore hope, that your Excellency will be pleased to order, that an exact Enquiry may be made into the Matter contained in the Depositions of Serjeant Willis, John Hamwood, and William Swallow, that the Rioters who obstructed his Majesty's Levies, and used such disloyal and traitorous Language, may be punished according to Law.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Murdock and Mr. Smallwood, do acquaint his Excellency, That this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it. They return and acquaint Mr. Speaker, the Governor was pleased to signify, he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Murdock and Five more, do present the Address to the Governor.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the following Message, viz.

L. H. J.  
Liber No. 47  
May 27

By the Upper House of Assembly, May 27, 1754.

Gentlemen,

In Answer to your Message of this Day, by Messieurs Hollyday and Earle, this House is willing that an Ordinance of both Houses be made on the Treasurer of the Western Shore, for the Sum of Five Hundred Pounds Current Money, as a Present, to be delivered to the Six Nations of Indians at Albany; and One Hundred and Fifty Pounds Current Money, to defray the Expences of the Commissioners upon that Service.

Signed per Order, J. Ross, Cl. Up. Ho.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry Inhabitants of Frederick County, praying that the Sum of 500 l. Currency may be allowed by the Public for building a Prison, in the said County; indorsed, " By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly." p. 451

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry Inhabitants of Baltimore-Town, and Baltimore County, praying to have Acres of Land laid out into Lots, as an Addition to the said Town; indorsed, " By the Upper House of Assembly, read and referred to the Consideration of the Lower House of Assembly;" which Petition was here read, and ordered to lie on the Table.

The House adjourns till the morrow Morning at 9 of the Clock.

Tuesday, May 28, 1754.

May 28

The House met according to Adjournment, &c.

The Bill entituled, An additional Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, &c. was read the second Time, and will pass.

The Bill entituled, An Act to make it Penal to forge or counterfeit the Bills of Credit of Pennsylvania, New-York, East and West Jerseys, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or to utter, &c. was read the second Time, and will pass.

Which two Bills were sent to the Upper House by Mr. B. Mackall and Capt. Lee.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Petition of King and Queen Parish in St. Mary's County; a Petition of St. Mary's White Chapel in Dorchester County; and a

L. H. J. Petition of Port-Tobacco Parish in Charles County; severally in-  
 dorsed, “By the Upper House of Assembly, read and referred to  
 the Consideration of the Lower House of Assembly.”  
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The Petition of the Inhabitants of Frederick County, praying to be allowed the Sum of 500 l. Current Money, for building a Prison, by the Public, was read and granted.

The Petition of King and Queen Parish in St. Mary’s County, was read and granted.

The Petition of Port-Tobacco Parish in Charles County, was read and granted.

The Petition of St. Mary’s White Chapel Parish in Dorchester County, was read and referred to the Consideration of next Assembly.

p. 452 The Question was put, Whether the Consideration of a Bill to settle a Fund for the Establishment of a Seminary of Learning within this Province, shall be referred to the Consideration of next Assembly, or Not? Resolved in the Negative.

#### For the Negative.

Barnes,	Smallwood,	Frasier,
Mills,	Harrison,	W. Dulany,
Key,	Oldham,	Hamilton,
Carroll,	Tilghman,	Hollyday,
Hall,	Buchanan,	D. Dulany,
Gassaway,	Paca,	Crabb,
Lee,	Earle,	Chapline.
Stoddert,	Murdock,	

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#### For the Affirmative.

Williamson,	Waggaman,	Hyland,
Gresham,	Gillis,	Pearce,
Falconar,	Handy,	Hopper,
Wallis,	J. Goldsborough,	Tillotson,
J. J. Mackall,	Edmondson,	Evans,
B. Mackall,	Hooper,	Scarborough,
Reynolds,	C. Goldsborough,	Magruder.
Gantt,	Gray,	

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The House being divided on this Question, the same was determined in the Negative by the Honourable Speaker.

The Governor communicated to Mr. Speaker the following Message:

Gentlemen of the Lower House of Assembly,

That some Offences of the Nature mentioned in your Yesterday’s Address, had been committed in St. Mary’s County, I was informed

some Weeks since, and immediately thereupon took such Steps as appeared necessary for bringing the Offenders to condign Punishment: Two of them, I learn, have been taken and have recognized for their Appearance at the next Assizes. As the Others, of whom One is a Roman Catholic, and charged as Principal in this Affair, have disappeared, I could wish to be impowered to offer a Bounty or Reward for the more ready Discovery of them. And you may be assured it will be my constant Care to suppress, as much as possible, any such Disturbances, whenever they shall happen.

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May 28

Hor.<sup>o</sup> Sharpe.

Which was read and ordered to lie on the Table.

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Daniel Dulany, Esq; from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for building a Prison in Frederick County, which was read the first Time, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridien.

The House met according to Adjournment.

Mr. Key, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to enable the Justices of St. Mary's County, to levy a Quantity of Tobacco on the taxable Inhabitants of King and Queen Parish, in said County, for the Purposes therein mentioned; which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. Handy and Capt. Hopper.

The Bill entituled, An Act for building a Prison in Frederick County; was read the second Time, and will pass, and was sent to the Upper House, by Mr. Magruder and Capt. Evans.

On reading the Report from the Committee appointed to enquire into the Amount of the Allowances made to the Poor, &c. Ordered, That the same be referred to the Consideration of next Assembly.

The House adjourns till the morrow Morning at 9 of the Clock.

Wednesday, May 29, 1754.

May 29

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. Pearce and Mr. Earle.

Mr. Hawkins appeared in the House.

Mr. Smallwood brings in, and delivers to Mr. Speaker, a Bill entituled, An Act impowering the Rector, Vestrymen, and Churchwardens, of Port-Tobacco Parish, in Charles County, for the Time being, to purchase a Quantity not exceeding Two Acres of Land, and thereon to build a Chapel of Ease, in the said Parish; and to impower

L. H. J. the Justices of the said County, to levy on the taxable Inhabitants  
Liber No. 47 of the said Parish, a Quantity of Tobacco for the Uses therein  
May 29 mentioned; which was read the first and second Time, by an especial  
Order, and will pass, and was sent to the Upper House, by Capt. Lee  
and Mr. Buchanan.

On reading his Excellency's Message of Yesterday: Resolved,  
That his Excellency be impowered to offer a Reward of Twenty  
Pounds for apprehending Gerard Jordan, junr. the Principal, and  
Ten Pounds for apprehending Joseph Broadway, the Person that was  
aiding and assisting, in obstructing the Raising the Recruits for his  
Majesty's Service, in Saint Mary's County.

Ordered, That the Committee of Laws do prepare, and bring in,  
an Address to his Excellency, in Answer to his Message.

Doctor Carroll, from the Committee of Laws, delivers to Mr.  
Speaker an Address to his Excellency; which was read, approved,  
and ordered to be ingrossed.

p. 454 Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker  
the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Com-  
mander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.  
May it please your Excellency,

In Answer to your Excellency's Message of the 28th Instant, this  
House are very willing that your Excellency (in your Proclamation  
to be published for apprehending the Rioters, in Saint Mary's County,  
who have been guilty of obstructing his Majesty's Levies, and have  
absconded from Justice), will be pleased to offer a Reward of Twenty  
Pounds Current Money, to any Person or Persons (Officers ex-  
cepted) for apprehending and bringing to Justice, Gerard Jordan,  
junr. the Principal Actor therein, and Ten Pounds Current Money  
for Joseph Broadway, the other so absconded, to be paid by the  
Treasurer of the Western Shore, by your Excellency's Order.

Which was read and assented to, and signed, by Order of the  
House, by the Honourable Speaker.

Ordered, That Col. Hooper and Mr. Handy, do acquaint his Excel-  
lency, that this House hath prepared an Address to be presented to  
him, and desires to know when, and where, he will please to receive  
it. They return and acquaint Mr. Speaker, that his Excellency was  
pleased to signify he was ready to receive the Address immediately,  
in the Conference Chamber.

Ordered, That Mr. Key, and Three more, do present the Address  
to the Governor.

Benedict Calvert, Esq; from the Upper House, delivers to Mr.  
Speaker a Petition of St. John's Parish, in Queen Anne's County,



and of that Part of St. Paul's Parish, which lies in Talbot County; indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly, which was here read and referred to the Consideration of next Assembly." L. H. J.  
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Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker a Bill intituled, An Act to prevent the Evils which may arise from the Importation of Irish Convicts, and Convicts from that Part of Great-Britain called Scotland; which was read the first Time, and referred for the second Reading on the 20th Day of July next.

Mr. John Goldsborough, from the Committee of Accounts, brings in, and delivers to Mr. Speaker, the Journal of Accounts; which was read, and assented to, and sent to the Upper House, by Mr. Goldsborough and Mr. Edmondson.

The House adjourns till 2 of the Clock Afternoon.

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#### Post-Meridiem.

The House met according to Adjournment.

Capt. Addison and Mr. Govane appeared in the House.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, the Bill entituled, An additional Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. The Bill entituled, An Act to make it Penal to forge or counterfeit the Bills of Credit, &c. The Bill entituled, An Act to enable the Justices of St. Mary's County, to levy a Quantity of Tobacco on the taxable Inhabitants of King and Queen Parish, &c. And, The Bill entituled, An Act for building a Prison in Frederick County; which Bills were severally indorsed, "By the Upper House of Assembly, May 29, 1754. Read the second Time, and will pass."

Which Bills were here severally read, and passed for engrossing.

The following Ordinance, viz.

Whereas the Lords for Trade and Plantations, by their Letter to his Excellency the Governor of this Province, dated the 18th of September 1753, have signified, that his Majesty was pleased to grant a Sum of Money, for a Present to the Six Nations of Indians, and that it was recommended to the respective Governments, to send Commissioners to the Place of Meeting to renew the Covenant Chain with the Indians, and keep up a Friendship with them. It is therefore ordained by his Excellency, Horatio Sharpe, Esq; Governor, and the Upper and Lower Houses of Assembly, in General Assembly convened, that the Sum of Five Hundred Pounds Current Money shall be paid, by the Treasurer of the Western Shore of this Province, to such Commissioners as his Excellency shall please to nominate and appoint, to purchase proper Presents to be made to the Six Nations of Indians at Albany, at a Meeting to be held there on the 14th Day of June, 1754, and that the Sum of One Hundred and Fifty Pounds

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Current Money, be also paid by the said Treasurer, to the said Commissioners, to defray the Expences of their Journey to Albany, and Return from thence on the Negociation aforesaid, such Money to be paid by the said Treasurer, out of any public Money belonging to this Province in his Hands, and that the said Treasurer shall Charge such Payment, for the Uses aforesaid, to the public of this Province. May 29, 1754.

Was read and assented to, and signed, by Order of the House, by the Honourable Speaker; and was sent to the Upper House, by Mr. Charles Goldsborough and Major Travers.

p. 456 Mr. J. J. Mackall brings in, and delivers to Mr. Speaker, the following Report, viz.

By the Committee appointed to inspect the Arms and Ammunition, and Accounts relating thereto, May 29, 1754.

Your Committee having inspected the Arms and Ammunition, in the City of Annapolis, do find the same as follows, viz.

In the Council Chamber, 261 Muskets, well cleaned, but many of the Locks out of Order, 131 Carbines, 71 Pistols, 20 Trumpets, 7 Drums, 74 Swords, 44 Cartouch Boxes and Belts, 10 old Ditto without Belts, 49 Halberds and Pikes, 46 Buckets and Slings, 50 Sword Blades, 18 Daggers, and 12 Carbine Bayonets.

In the Room over the Conference Chamber, 72 old Muskets and Carbines much out of Repair, 33 Pair of Holsters, 155 Swords, 25 Bayonets, 75 Sword Belts, 16 old Cutlasses, 6 new Drums, 34 Pistols well cleaned, but the Locks much out of Order, 3 Chests and a half of Match, 15 Pair of Drum Sticks: Also the following new Arms, viz. 12 Brass Trumpets with Brass Mouth Pieces, 12 Drums and Sticks compleat, 19 Carbines with Buff Slings, Bayonet Cases, and 7 Bayonets, 19 Muskets, and 30 Bayonet Cases.

We also find, that in July, 1751, there was delivered out to Doctor Steuart, by the Order of Samuel Ogle, Esq; then Governor, as appears by said Steuart's Receipt, 11 new Carbines, 11 Buff Slings, 11 Bayonets, and 11 Scabbards, which are not since returned.

As also the following new Arms, imported in the Ship Sally, William Anderson Contractor, and Patrick White Master, viz. Muskets, Slings, and Bayonets, 300 each, in 12 Chests, Cartouch Boxes with Straps 300, Scabbards for Bayonets 300, Drums compleat 6, in 3 Cases, 9 Half Pikes, and Six Halberds. The new Guns, to Appearance, seem to be very good, and that some of them at the Top of the Chests are cleaned, but the greater Part are in very bad Order, and for Want of cleaning, are much rustied.

In the Room under the Conference Chamber, 2700 lbs. of Ball, 300 lbs. of large Shot, 980 lbs. of Bar Lead.

In the Powder House, 134 Sword Belts, 42 Carbine Slings, half a Box of Flints, 20 half Barrels of new Powder, 8 half Barrels and 1

whole Barrel of old Ditto, 110 Kegs of Shot, and 2 half Barrels of Ditto.

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There are 10 old Guns lying on the Point, near Mr. Patrick Creagh's Warehouse, not fit for Use, and 15 new Ditto without Carriages, much rustied, and will, in all Probability, be much damaged, if not speedily prevented.

All which is humbly submitted to your Honourable House.

Signed per Order, Benjamin Beall, Clerk.

Which was read, and Ordered, that the Committee of Laws do prepare an Address to his Excellency, requesting him to remove the present Armourer, and to appoint some able Person to act in the said Office, and to request his Excellency to dispose of the Money raised for Arms, to purchase Arms to be distributed on the Frontiers of this Province.

Doctor Carroll, from the Committee of Laws, brings in, and delivers to Mr. Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

The House adjourns till the morrow Morning at 9 of the Clock.

Thursday, May 30, 1754.

May 30

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. Buchanan.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, A Supplementary Act to the Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer: Which was read the first and second Time, by an especial Order, and will pass, and was sent to the Upper House, by Mr. Gray and Mr. Govane.

Doctor Carroll, from the Committee of Laws, delivers to Mr. Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

By the Report of a Committee of this House hereunto annexed, we find, that the Arms are in bad Order, through the Neglect of the Armourer; wherefore we humbly conceive, that some Other, who would execute his Duty with more Care, should be placed in his Room, that the Arms may be kept in more effectual Order for Service.

As there is now in the Hands of the Treasurers of this Province. Sterling Money for purchasing Arms and Ammunition for Defence of the same, we submit it to your Excellency, Whether at this Time.

L. H. J. when the French and their allied Indians, are making Incroach-  
 Liber No. 47 ments on our Frontiers, it may not be expedient to send for such  
 May 30 Arms and Ammunition for that Money, as may be convenient to send  
 p. 458 to the Western Limits of this Province in Case of Need.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Hollyday and Mr. Crabb, do acquaint his Excellency, this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it. They return and acquaint Mr. Speaker, that his Excellency was pleased to signify, he was ready to receive the Address immediately, in the Conference Chamber.

Ordered, That Col. Harrison, and Three more, do present the Address to the Governor.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an ingrossed Bill entituled, An additional Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. An ingrossed Bill entituled, An Act to make it Penal to forge or counterfeit the Bills of Credit, &c. An ingrossed Bill entituled, An Act for building a Prison in Frederick County. And, an ingrossed Bill entituled, An Act to enable the Justices of Saint Mary's County, to levy a Quantity of Tobacco, &c.

Which Bills were severally read, and assented to, and sent to the Upper House, with the Paper Bills thereof, by Doctor Hamilton and Mr. Williamson.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act empowering the Rector, Vestrymen, and Churchwardens of Port-Tobacco Parish, in Charles County, for the Time being, to purchase a Quantity not exceeding Two Acres of Land, &c. Indorsed, "By the Upper House of Assembly, May 30, 1754. Read the second Time, and will pass."

And the Bill entituled, A Supplementary Act to the Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province, &c. Indorsed, "By the Upper House of Assembly, May 30, 1754. Read the first and second Time, by an especial Order, and will pass."

Which Bills were severally read here, and passed for ingrossing. The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

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The House met according to Adjournment, &c.

Major Hall, from the Committee of Laws, delivers to Mr. Speaker an ingrossed Bill entituled, An Act empowering the Rector, Vestrymen and Churchwardens, of Port-Tobacco Parish, in Charles County, for the Time being, to purchase a Quantity not exceeding Two Acres

of Land, &c. And, an ingrossed Bill entituled, A Supplementary Act to the Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province, &c. Which Bills were severally read, and assented to, and sent to the Upper House, with the Paper Bills thereof, by Mr. Gresham and Mr. Wallis.

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His Excellency communicated to Mr. Speaker the following Message.

Gentlemen of the Lower House of Assembly,

The Armourer, of whose Negligence you are pleased to complain, pleads to me, in Excuse of his seeming Fault, and defect of Duty, his strict Obedience to the Orders I some Time since thought proper to give, That nothing should divert him from examination and cleaning those of the Arms lately imported, which had by some Accident fallen into the Water, before they were delivered into his Custody: This Service, must, I believe, have engaged him for some Months past; and he hopes this Excuse will meet with a favourable Hearing, as he will always endeavour to give general Satisfaction, by his future Care and Diligence in the Execution of his Office.

Your Request that I will send for some Ammunition, I will carefully comply with; and should be glad to be impowered to order also an additional Number of Arms, but cannot attempt that, at this Time, unless you will revive the Law for raising a Sum of Money for purchasing them; the Fund established some Years since for that Purpose being reduced very low, and, as I am informed, almost exhausted.

Hor.<sup>o</sup> Sharpe.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for issuing Writs of Replevin out of the County Courts of this Province. And the Bill entituled, An Act for the Security of his Majesty's Dominion, and to prevent the Growth of Popery, &c. severally indorsed, " By the Upper House of Assembly, May 30, 1754. " Read the second Time and will not pass."

Col. Tasker, from the Upper House, delivers to Mr. Speaker the following Message, viz.

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By the Upper House of Assembly, May 30, 1754.

Gentlemen,

We herewith return the Journal of Accounts, in which, we observe, there is no Allowance made to Thomas Bladen, Esq; for the Money disbursed by him, in building a House for the Governor; nor to the Members of the Council, for their Attendance as a Council of State: nor to the Clerk of the Council, for his yearly Salary as Clerk.

We therefore hope you will consider these Matters, in such a Manner, as the Journal may pass.

Signed per Order, J. Ross, Cl. Up. Ho.

L. H. J. Ordered, That the Bill entituled, An Act for the Security of his  
 Liber No. 47 Majesty's Dominion, and to prevent the Growth of Popery within  
 May 30 this Province, be inserted in the Votes and Proceedings, and printed  
 with them.

Which Bill follows in these Words, viz.

An Act for the Security of his Majesty's Dominion, and to prevent  
 the Growth of Popery within this Province.

Whereas the Right Honourable the Earl of Holderness, one of  
 his Majesty's Principal Secretaries of State, by his Letter to the  
 Governor of this Province, dated Whitehall, August the 28th, Seven-  
 teen Hundred and Fifty Three, hath signified the March of a large  
 Body of French, to commit Hostilities on his Majesty's Dominions  
 here, and directing him to keep a Correspondence with the other  
 Governors of his Majesty's Territories on this Continent, in Order to  
 concert the needful Means for preventing any evil Consequences  
 therefrom; and, since which, the Indians and French have, not only  
 dispossessed his Majesty's Subjects of Settlements, which they had  
 in the Territory of Virginia, within the King's Dominions, but com-  
 mitted barbarous Murders, and made Prisoners of several Traders,  
 and taken their Effects, and are now actually fortifying themselves in  
 those very Places, from whence they have dispossessed his Majesty's  
 Subjects.

And whereas the Insolence and Disaffection of Papists within this  
 Province, to his Majesty's sacred Person and Government, has been  
 too often manifested by many of them; and as many Popish Priests,  
 and Jesuits, hold sundry large Tracts of Land, Mannors, and other  
 p. 461 Tenements, within the Province, and on them, or some of them, have  
 Dwellings, where they live and cohabit, as in a collegiate Manner,  
 having public Mass-Houses, where they celebrate their Religious  
 Functions, in the most public Manner, perverting many of his Maj-  
 esty's dutiful Protestant Subjects to Popery, as also many Servants  
 and Slaves belonging to his Majesty's Protestant Subjects, which,  
 from their known Principles, in Church and State, must prove of  
 most dangerous Consequence to his Majesty's Dominion and his  
 Protestant Subjects here, as well as from the Vicinity of the French,  
 and their allied Indian Nations, and the manifest Incroachments,  
 making by them, on his Majesty's Territories adjoining to this Prov-  
 ince, and the Danger of their being joined and assisted by these our  
 domestic Enemies: To prevent, therefore, such Evils, and the further  
 Growth of Popery, within this Province, it is humbly prayed that it  
 may be enacted.

And be it Enacted, by the Right Honourable the Lord Proprietary,  
 by and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of the  
 same, That all Manors, Lands, Tenements, and Hereditaments, which  
 were vested in any Popish Priest or Jesuit, or Popish Priests or

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May 30

Jesuits, or reputed Popish Priest or Jesuit, on the first Day of October, in the Year, One Thousand Seven Hundred and Fifty One, or which were held in Trust for such Popish Priest or Jesuit, or reputed Popish Priest or Jesuit, or which were occupied by such Popish Priest or Jesuit, or Popish Priests or Jesuits, or reputed Popish Priests or Jesuits, or by him or them rented out, or by any other Trust for him or them rented out, to under Tenants, on the said first Day of October, One Thousand Seven Hundred and Fifty One, shall and is hereby vested in the Honourable George Plater, and the Honourable Richard Lee, Esquires; Mr. William Murdock, Mr. John Goldsborough, Mr. Nicholas Hyland, Mr. John Addison, and Mr. Henry Wright Crabb; Commissioners appointed for that Purpose, and their Successors, for the Uses and Intents herein after mentioned, or the major Part of them, and their Successors: And for the Perpetuation of the said Commissioners, upon the Death or Removal, or other actual or legal Disability, of any one or more of them, or any one or more of their Successors, It is hereby Enacted, that the Residue, or major Part of them, or their Successors, or the major Part of their Successors, shall, and may, meet in the City of Annapolis, at any Time within the Space of Four Months after such Death, Removal, or other actual Disability, and make Choice of one or more in the Room of such Commissioner or Commissioners so dead or removed, or otherwise legally disabled, and such Person, or Persons, so chosen, and taking the Oaths of Allegiance, Abhorrency, and Abjuration, and repeating and subscribing the Test, and taking the Oath of Office, herein after prescribed, shall be fully empowered to act as a Commissioner, or Commissioners, to the Purposes in this Act. p. 462

And it is hereby further Enacted, That the said George Plater, Richard Lee, William Murdock, John Goldsborough, Nicholas Hyland, John Addison, and Henry Wright Crabb, or the major Part of them, Commissioners by this Act appointed, shall, and they are hereby directed to meet, in the City of Annapolis, at some Time before the first Day of October, which shall be in the Year, One Thousand Seven Hundred and Fifty Four, and there make Choice of a fit Person to be their Clerk, and shall, before some Justice of the Provincial Court, take the several Oaths to the Government, prescribed by Law, and sign and repeat the Test, and take the following Oath of Office. " You A. B. do swear, on the Holy Evangels of Almighty God, That as a Commissioner, appointed by an Act of Assembly of the Province of Maryland, entituled, An Act for the Security of his Majesty's Dominion, and to prevent the Growth of Popery within this Province, you will, to the utmost of your Skill and Knowledge, cause Enquiry to be made into all Lands and Tenements which were, on the first Day of October, One Thousand Seven Hundred and Fifty One, in the Tenure and Occupation of, or held by, any Popish Priest or Jesuit,

L. H. J. within the Province of Maryland, or in Trust for any Popish Priest  
Liber No. 47 or Jesuit, within the said Province, on the said first Day of October,  
May 30 One Thousand Seven Hundred and Fifty One, and that without  
Favour, Affection, Fraud or Covin, and to the utmost of your Power,  
and cause Entry to be made thereof in the Book of Records, by you  
and the other Commissioners to be kept, as also the Evidence which  
you shall receive to prove the same; and further, that you will make  
the most in your Power by the Sale of such Lands and Tenements as  
shall come to your Hands, in Virtue of the said Act, for the Uses of  
the same Act: So help you God.” And that the Clerk to the said Com-  
missioners shall take the several Oaths to the Government, by Law  
prescribed, and repeat and sign the Test, and take the following Oath  
p. 463 of Office, before some Provincial Justice, viz. “ You A. B. as Clerk  
to the Commissioners, appointed by Act of Assembly, intituled, An  
Act for the Security of his Majesty’s Dominion, and to prevent the  
Growth of Popery within this Province, shall and will, in every  
Respect, as Clerk, make true Entries, as you shall be ordered and  
intrusted by the said Commissioners, or the major Part of them,  
and their Secrets you will keep, and in every other Respect behave  
as becometh an able and faithful Clerk and Servant in your said  
Office. So help you God.”

And it is hereby further Enacted, by the Authority, Advice and  
Consent aforesaid, That the said Commissioners, or the major Part  
of them, shall and may meet and adjourn at the said City of An-  
napolis from Time to Time, and proceed to take Depositions of any  
Person or Persons to the Purposes of this Act, in Order to make the  
best and fullest Discovery of all Lands and Tenements belonging to  
Popish Priests or Jesuits within this Province, and shall and may  
issue Summons, under the Seal of their Office, attested by the Clerk  
of the said Commissioners, to any Person or Persons, to appear before  
them, at such Time and Place as to them shall seem meet and fitting,  
and all Sheriffs and their Deputies, Coroners and Constables, within  
this Province, are hereby ordered and directed to serve and return  
such Summons, as shall be by them issued, and otherwise to be aiding  
and assisting, to the said Commissioners, in the Execution of their  
Office, and for any Neglect in such Sheriffs, or their Deputies, or  
Coroners, or Constables, or any Witness, or Witnesses, not attending  
after being summoned, they shall and are hereby made liable to any  
Fine which shall be imposed by the said Commissioners, or the  
major Part of them, not exceeding the Sum of Five Pounds Current  
Money, for any one Offence, to be recovered by Bill, Plaint, or In-  
formation, in the County Court where the Offender shall reside,  
wherein no Essoin, Protection, Wager of Law, or more than one  
Impralance shall be allowed, and applied towards the Discharge of  
the Execution of this Act, of which the Clerk of the said Commis-  
sioners shall keep an Account; and the several and respective Sheriffs



of this Province shall, and they are hereby directed and obliged to forward any Letters from, or to, the said Commissioners, as other Public Letters for his Lordship's Service.

L. H. J.  
Liber No. 48  
May 30

And it is hereby further Declared and Enacted, That so soon as may be, after the First Day of October, One Thousand Seven Hundred and Fifty-four, all the said Lands and Premises, which did belong to any Popish Priest or Jesuit, or Popish Priests or Jesuits, or were held in Trust for them or him, within this Province, on the said First Day of October, One Thousand Seven Hundred and Fifty-four, shall be sold by Public Sale to the highest Bidder by the said Commissioners, or their Successors, or the major Part of them, between the Hours of Twelve and Four in the Afternoon, at the Public Stadt-House, in the City of Annapolis; and which Sale shall and may be continued from Day to Day, as the said Commissioners, or the major Part of them, or their Successors, shall think convenient, either in the Time of the Provincial Court, or General Assembly, first giving Notice of such Sale in the Maryland Gazette six Weeks before the Time of such Sale, and to continue the same full six Weeks in the said Gazette. p. 464

And it is hereby further Enacted, That such Sale, and the Deed of Bargain and Sale, expressing the Consideration bona fide paid, duly acknowledged by the said Commissioners, or the major Part of them, and recorded in the Provincial or County Court Office, where the Land lies, in six Months after such Acknowledgement made before a Provincial Justice, and the Payment of the Consideration Money, and this Act, shall vest in such Purchaser a good and sure indefeazible Estate of Inheritance, in Fee Simple, to such Lands and Tenements.

And it is hereby further Enacted, That the said Commissioners, or the major Part of them, or their Successors, shall pay the Money arising by the Sale of such Lands and Tenements, to the Treasurer of the respective Shore of this Province, where the Land shall lay, from Time to Time taking a Receipt for the same; and at every General Assembly, to be held during the Execution of their Commission, lay their Proceedings before the General Assembly of this Province, and when the Lands are sold, lay Accounts of such Sale, and Payment of the Money also, before the General Assembly, from Time to Time, for their Inspection.

And it is hereby further Enacted, That the Treasurer or Treasurers of the respective Shores, within this Province, for the Time being, shall, from Time to Time, pay such Sum or Sums of Money as he or they shall receive in Virtue of this Act, to the Order of his Excellency the Governor, or Commander in Chief, for the Time being, to be applied by him, as he and the Council of this Province, shall judge necessary to be applied towards securing his Majesty's Dominions here, against the Incroachments of the French and their

L. H. J. allied Indians; of which Application, the Governor or Commander  
Liber No. 47 in Chief, for the Time being, shall, from Time to Time, cause an  
May 30 Account to be laid before the General Assembly of this Province as  
often as they shall meet, after such Application.

And be it further Enacted, by the Authority, Advice and Consent  
aforesaid, That the said Commissioners shall, for every Day they  
p. 465 sit in the Transaction of the Matters relating to this Act, be allowed  
the Sum of Fifteen Shillings Current Money each, besides itinerant  
Charges; and the Clerk of the said Commissioners shall be allowed  
the Sum of Fifteen Shillings Current Money, for every Day he shall  
attend such Commissioners, payable in Current Money, in the pub-  
lic Levy of the Province; and the Sheriffs, Coroners, or Constables,  
for serving any Summons, or other Process, by Order of said Com-  
missioners, and the Witness, or Witnesses, shall have the same  
Allowances as for like Summons or Process out of the Provin-  
cial Court; and the said Commissioners, or the major Part of them,  
or their Successors, and the major Part of them, are hereby impow-  
ered and directed to tender, to all such Popish Priests or Jesuits, or  
reputed Popish Priests or Jesuits, the Oaths of Allegiance, Abhor-  
rency and Abjuration, and to require him or them to repeat and  
subscribe the Test, and the Refusal of such Priest or Jesuit, to take  
such Oaths, and repeat and sign the Test, shall be recorded among  
the Records of the said Commissioners, and upon such Refusal or  
Non-appearance of such Popish Priest or Jesuit, when summoned,  
the same shall be taken as full and conclusive Evidence to prove such  
Popish Priest or Jesuit a Popish Recusant Convict, and shall forfeit  
all his or their Lands, Tenements and Hereditaments, to the Uses  
mentioned in this Act.

And it is hereby Declared and Enacted, That it shall not be law-  
ful for any Popish Priest or Jesuit, or any reputed Popish Priest or  
Jesuit, to hold any Lands or Tenements, either in his own, or their  
Right, or in Trust for him or them, within this Province, or to  
keep on such Lands public Mass-Houses, or cohabit in Societies; and  
in Case any such shall be, after the End of this Session of Assembly,  
they shall be vested in the said Commissioners, and their Successors,  
for the Uses herein before directed; and the said Commissioners, or  
the major Part of them, and their Successors, or the major Part  
of them, shall, and they are hereby impowered and directed to pro-  
ceed to the Sale of the same, and Application and Payment of the  
Money arising by such Sale in Manner as is herein before pre-  
scribed and directed.

Provided nevertheless, That nothing in this Act shall be con-  
strued to defeat, or make void, any Sale of any Lands, Tenements  
or Hereditaments, made by any such Popish Priest or Jesuit, for a  
valuable Consideration, really and bona fide made, agreeable to Law,  
since the first Day of October, One Thousand Seven Hundred and

Fifty One, to any Person whatsoever, where it shall be made appear, by sufficient Evidence, to the said Commissioners, or their Successors, or the major Part of them, or their Successors, that the same was not made fraudulently, of which the said Commissioners, or the major Part of them, or their Successors, shall, and they are hereby impowered to adjudge and determine.

L. H. J.  
Liber No. 47  
May 30  
p. 466

Indorsed, "By the Lower House of Assembly, May 22, 1754. Read the first Time, and ordered to lie on the Table.

Signed per Order, M. Macnemara, Cl. Lo. Ho."

"By the Lower House of Assembly, May 23, 1754. Read the second Time, and will pass.

Signed per Order, M. Macnemara, Cl. Lo. Ho."

"By the Upper House of Assembly, May 23, 1754. Read the first Time, and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho."

"By the Upper House of Assembly, May 30, 1754. Read the second Time, and will not pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the several Paper Bills (the ingrossed Bills of which have been read and assented to by both Houses); indorsed severally, "The ingrossed Bill, whereof this is the Original, is read and assented to."

Ordered, That Col. Harrison and Doctor Hamilton do acquaint his Excellency, that no Public Business is before this House to transact.

Samuel Chamberlaine, Esq; from the Upper House, acquaints Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and (attended by the Members of the Lower House) went to the Upper House, and there presented to his Excellency,

An ingrossed Bill entitled, An additional Supplementary Act to the Act entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

An ingrossed Bill entitled, An Act to make it Penal to forge or counterfeit the Bills of Credit of Pennsylvania, New-York, East or West Jerseys, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or to utter or tender the same in Payment, within this Province, knowing them to be such.

An ingrossed Bill entitled, An Act to enable the Justices of St. Mary's County, to Levy a Quantity of Tobacco on the taxable Inhabitants of King and Queen Parish in said County, for the Purposes therein mentioned.

p. 467

L. H. J.  
Liber No. 47  
May 30

An ingrossed Bill entitled, An Act empowering the Rector, Vestrymen, and Churchwardens, of Port-Tobacco Parish, in Charles County, for the Time being, to purchase a Quantity not exceeding Two Acres of Land, and thereon to build a Chapel of Ease in the said Parish, and to empower the Justices of the said County, to Levy on the taxable Inhabitants of the said Parish a Quantity of Tobacco, for the Uses therein mentioned.

An ingrossed Bill entitled, An Act for building a Prison in Frederick County. And,

An ingrossed Bill entitled, A Supplementary Act to an Act entitled, An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

All which his Excellency the Governor passed into Laws in the usual Form; and made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

As I had persuaded myself that no Person, who has a Regard for the Welfare of this or the neighbouring Provinces, could hear without Emotion, of the Designs and Attempts of our Enemies, to make themselves Masters of his Majesty's Territories on this Continent, and as I was induced to think that none of us would choose to remain indifferent Spectators, while other his Majesty's good Subjects around us, should be vigorously exerting themselves in Support of his Majesty's just Right and Pretensions, as well as in Defence of their own and our Properties; I did indeed indulge myself with the Hopes of seeing you wave, at this Season, every Thing that might possibly afford Occasion for Dispute, and mutually concur in making such Provision, for the Encouragement of the important Enterprize now carrying on by our Fellow Subjects, near the River Ohio, as would have left no Room for any Distinction to be made between our Zeal, and that which has been shewn by the neighbouring Colonies on this Ocasion: But though your Resolutions will not permit me to expect the full Completion of my Wishes till fresh Advices or Instructions may lay me under the Necessity of convening you again; yet, I must not take Leave of you, as this Time, without expressing some Satisfaction at your Treatment of my Message, relating to the Letter from the Lords of Trade, and at your enabling me to pay due Obedience to his Majesty's Pleasure thereby signified.

Your Desire to return, at present, to the Care of your domestic Affairs, prevails on me, with the Advice of his Lordship's Council of State, to prorogue this Assembly to the Third Tuesday in July next, and you are to take Notice that you are prorogued accordingly.

Thus endeth this Session, of Assembly, this Thirtieth Day of May, Anno Domini 1754.

Test. M. Macnemara, Cl. Lo. Ho.

## ACTS OF ASSEMBLY PASSED IN MAY 1754

At a Session of Assembly begun and held at the City of Annapolis the Eighth Day of May in the fourth Year of the Dominion of the Right Honourable Frederick absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore Annoq Dom. 1754 and Ending the Thirtieth Day of the same Month.

Liber H. S.  
No. 1  
p. 142

The following Laws were Enacted and Assented to by his Excellency Horatio Sharpe Esquire Governour

No. 1 An additional Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

p. 143

Whereas by an Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, the Salaries allowed the Inspectors of some of the Warehouses established by the said Act, are found by Experience to be too small, and not adequate to the Services; and for that it is represented that at some of the said Warehouses it will not be necessary for the Inspectors to attend so long Time as by the said Act is required: For Remedy whereof,

[Preamble.]

Be it Enacted, by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That there shall be allowed yearly and every Year, during the Continuance of this Act, to the Inspector at Hunting Creek Warehouse, in Dorchester County, inclusive of the Salary settled by the said recited Act, the Sum of Sixty-Five Pounds Current Money, and no more: To the Inspector of Ennalls's Warehouse, inclusive of the Salary given by the said Act, the Sum of Sixty Pounds, and no more: To the Inspector at Edward White's Warehouse, in the said County, inclusive of the Salary given by the said Act, the Sum of Sixty Pounds, and no more: To the Inspector at David Melvill's Warehouse, in the said County, inclusive of the Salary given by the said Act, the Sum of Fifty-Five Pounds, and no more. And to the Inspectors at Bladensburg Warehouse, in Prince George's County, inclusive of the Salary given by the said Act, the Sum of Fifty Pounds Current Money each, and no more.

p. 143

[Inspectors  
Salaries in  
Dorchester  
County augmented:]

[And at  
Bladens-  
burg.]

And be it further Enacted, That the Inspector at the North-West Fork Warehouse, at the Bridge in Dorchester County, shall not be obliged to attend at the said Warehouse more than Three Days in a Week, between the First Day of April and the Twentieth Day of

[Times of  
Attendance  
at some  
Ware-  
houses.]

Liber H. S. August yearly. The Inpsectors at Broad Creek Warehouse, and  
 No. 1 Baltimore Warehouse on Indian River, in Worcester County, shall not be obliged to attend at the said Warehouses more than Two Days in a Week, between the First Day of April and the Twentieth Day of August yearly. The Inspectors at Snow-Hill Warehouse, and New-Port Warehouse, in Worcester County, shall not be obliged to attend at the said Warehouses more than Four Days in a Week, between the First Day of April and the Twentieth Day of August yearly.

And be it further Enacted, That the Inspectors at Wells's Warehouse, at the Warehouse at Charles Brown's Landing, and at Bridge-Town Warehouse at the Head of Choptank River, in Queen-Anne's County, respectively, shall not be obliged to attend at their respective Warehouses more than Four Days, that is to say, on Monday, Tuesday, Wednesday, and Thursday, in every Week, until the Twentieth Day of August next, and from the First Day of April until the Twentieth Day of August, in every Year, during the Continuance  
 p. 144 of the said recited Act; any Thing in the said Act to the contrary thereof notwithstanding.

[Salaries augmented.] And be it further Enacted, That there shall be allowed and paid to the Inspectors attending at Frederick-Town on Sassafras River, and to the Inspectors attending at John Holland's at Bohomia Ferry, respectively, as well for the present Year, as for each and every Year during the Continuance of this Act, the Sum of Five Pounds Current Money to each Inspection, over and above the Salaries or Allowances heretofore given or made by the said recited Act. And to the Inspector attending at the Warehouse in the City of Annapolis, there shall be allowed and paid for each and every Year, during the Continuance of this Act, after this present Year, the Sum of Five Pounds over and above the Salary allowed by the said recited Act.

[Inspectors not to sell their Office.] And to prevent the Inconvenience that may arise from the Sale of the Office of Inspector; Be it Enacted, by the Authority, Advice and Consent aforesaid, That if any Person or Persons nominated and appointed by any Vestry, or commissioned by the Governor, or Commander in Chief for the Time being, to be an Inspector or Inspectors within this Province, shall take or receive any Sum or Sums of Money or Tobacco, or any other Thing, or any Reward or Gratuity, to the Intent that he or they shall refuse to Act under such Nomination, Appointment, or Commission, such Person so taking and receiving any Thing to the Intent aforesaid, shall forfeit and pay double  
 [The Penalty.] the Value of the Sum of Money or Tobacco, or other Thing, so taken and received; to be recovered, by Indictment, or Information, in the County Court of the County where the Offence shall happen, and be applied towards defraying the Expence of the Execution of the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of

Officers Fees, in such County. And the Person or Persons paying, giving or delivering, or offering to pay, give or deliver, any Sum or Sums of Money or Tobacco, or other Thing, to the Intent aforesaid, shall forfeit and pay double the Value of the Sum of Money or Tobacco, or other Thing, so given or delivered, or offered to be given or delivered; to be recovered and applied in Manner aforesaid, and shall for ever be disabled to be an Inspector within this Province.

Liber H. S.  
No. 1

[Penalty on  
the Pur-  
chaser.]

[Four In-  
spections in  
Baltimore  
County, re-  
duced to  
Two.]

p. 145

And be it further Enacted, That the Warehouses at Joppa, and at the Fork of Gunpowder, in Baltimore County, be under one and the same Inspection, and that the Two Inspectors now appointed, or hereafter to be appointed, shall attend at each Warehouse, Three Days in every Week, from the First Day of April to the Twentieth Day of August yearly: And that the Warehouses at Swan Creek and Rock-Run, in the said County, be under one and the same Inspection; and that the Inspectors of the said Swan Creek and Rock-Run Warehouses, shall be allowed yearly, and every Year, during the Continuance of this Act, inclusive of the Salary settled by the said recited Act, the Sum of Forty Pounds each, and no more; and that the Inspectors at Baltimore-Town Warehouse, shall be allowed yearly, and every Year, during the Continuance of this Act, inclusive of the Salary settled by the said recited Act, the Sum of Sixty Pounds each, and no more.

And be it further Enacted, That the Inspector of Plymouth Warehouse, in Dorchester County, shall be allowed, after this present Year, the Sum of Twenty Pounds Current Money only, per Annum, during the Continuance of this Act, in full for his Service as Inspector, instead of the Salary mentioned in the said recited Act; any Thing therein contained to the contrary notwithstanding.

[Salary at  
Plymouth  
Warehouse.]

This Act to continue during the Continuance of the above recited Act.

30<sup>th</sup> May 1754  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the R.<sup>t</sup>  
Honble the Lord Pro-  
prietary of this Province  
I will this be a Law  
Hor<sup>o</sup> Sharpe

The great seal in  
Wax Appendant

30<sup>th</sup> May 1754  
Read & Assented to  
by the Upper House of  
Assembly

Signed by Order  
J. Ross Cl Up Ho.

No. 2 An Act to make it Penal to forge or counterfeit the Bills of Credit of Pennsylvania, New-York, East or West Jerseys, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or to utter or tender the same in Payment, within this Province, knowing them to be such.

Whereas divers evil-minded Persons have counterfeited the Bills of Credit of this Province, and have tendered the same in Payments, in the neighbouring Province of Pennsylvania; and whereas, such Persons may hereafter presume to forge or counterfeit the Bills of Credit of the Provinces of Pennsylvania, New-York, East and West Jer-

[Preamble.]

Liber H. S. No. 1 seys, and the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, and emit or tender the same in Payments within this Province, to the Prejudice of the good People thereof, and the Credit of the same Currency: In Order therefore, to prevent the Evils to Society which may arise from such Practices, it is prayed that it may be enacted,

[Forging by and with the Advice and Consent of his Lordship's Governor, and Bills of the Upper and Lower Houses of Assembly, and the Authority of Credit, of the same, That if any Person or Persons within this Province, shall, neighboring Governments, how after the End of this Session of Assembly, forge or counterfeit any punish'd.] Bill or Bills of Credit, appointed to be Current by any Acts of

p. 146

Assembly of the Provinces of Pennsylvania, New-York, East or West Jerseys, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or utter or tender the same in Payment within this Province, knowing the same to be such, and be thereof convict by due Course of Law, shall, for such Offence, be set in the Pillory, and have one of his or her Ears cut off, and suffer Six Months Imprisonment, without Bail or Mainprize.

[Continuation.] This Act to continue Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

30<sup>th</sup> May 1754  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Hor.<sup>o</sup> Sharpe

The great seal in  
Wax Appendant

30<sup>th</sup> May 1754  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

### No. 3 An Act for building a Prison in Frederick County.

[Preamble.] Whereas it is necessary to build a Prison at Frederick-Town, in Frederick County, with such Conveniences as may render Confinement less grievous, and for the better Security of Prisoners in the said County:

[A Prison to be built in Frederick-Town.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Frederick County, or the major Part of them, shall, and may, and they are hereby authorized and empowered to erect and build, for the Use of the said County, a Prison, in Frederick-Town, in the said County.

[The Money to be taken out of the Paper Currency Office.] And be it further Enacted, That the Commissioners, or Trustees, for emitting Bills of Credit, shall, on Demand, pay unto the said Justices of Frederick County, or the major Part of them, or their Order, the Sum of Four Hundred Pounds, in Bills of Credit, for the Purpose aforesaid, which the said Justices of Peace, or the major



Part of them, are hereby impowered and directed to lay out in erect-  
ing and building the said Prison. Liber H. S.  
No. 1

30.<sup>th</sup> May 1754  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Hor.<sup>o</sup> Sharpe

The great seal in  
Wax Appendant

30.<sup>th</sup> May 1754  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho

No. 4 An Act to enable the Justices of St. Mary's County, to levy a Quan-  
tity of Tobacco on the taxable Inhabitants of King and Queen p. 147  
Parish, in said County, for the Purposes therein mentioned.

Whereas the Rector, Vestrymen, Churchwardens, and other the  
principal Inhabitants of King and Queen Parish, in Saint Mary's [Preamble.]  
County, have, by their humble Petition to this General Assembly, set  
forth, That the Parish Church at Chaptico is at present greatly out  
of Repair, and if not immediately repaired, must hereafter occasion  
to the Inhabitants of the said Parish, a far greater Expence; they  
therefore humbly pray, that an Act may pass for the levying Twenty  
Two Thousand Pounds of Tobacco, clear of the Sheriff's Salary to  
be assessed on the taxable Inhabitants of the said Parish, at the lay-  
ing the next County Levy, for the County aforesaid: All which being  
by this General Assembly thought reasonable;

Be it Enacted, by the Right Honourable the Lord Proprietary, by  
and with the Advice and Consent of his Lordship's Governor, and [22 000 lbs.  
of Tobacco  
to be levied  
in King and  
Queen Par-  
ish.]  
the Upper and Lower Houses of Assembly, and the Authority of the  
same, That it shall and may be lawful to and for the Justices of Saint  
Mary's County Court for the Time being, and they are hereby author-  
ized and required, at the laying their County Levy, in November  
Court next, to assess and levy on the taxable Inhabitants of King and  
Queen Parish, in the said County, a Quantity of Tobacco, not exceed-  
ing Twenty Two Thousand Pounds of Tobacco, clear of the Sheriff's  
Salary of Five per Centum for collecting the same; which said Sum  
of Twenty Two Thousand Pounds of Tobacco, the said Sheriff is  
hereby authorized and required to collect and receive accordingly, in  
Tobacco only, and when so collected and received, to pay the same to  
the Order of the Vestrymen and Churchwardens of the said King and  
Queen Parish, for the Time being, or the major Part of them, to be  
by them, or the major Part of them, applied towards the Repairing  
the s.<sup>d</sup> Chaptico Church.

May 30 1754  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Pro-  
vince I will this be a Law  
Hor.<sup>o</sup> Sharpe

The great seal in  
Wax Appendant

30.<sup>th</sup> May 1754  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho

- No. 5 An Act empowering the Rector, Vestrymen, and Churchwardens, of  
 Liber H. S. Port-Tobacco Parish, in Charles County, for the Time being, to  
 No. 1 purchase a Quantity not exceeding Two Acres of Land, and  
 p. 148 thereon to build a Chapel of Ease, in the said Parish; and to  
 empower the Justices of the said County, to levy on the taxable  
 Inhabitants of the said Parish, a Quantity of Tobacco for the  
 Uses therein mentioned.

[Preamble.] Whereas the Rector, Vestrymen, Churchwardens, and principal  
 Inhabitants of Port-Tobacco Parish, in Charles County, by their  
 humble Petition to this present General Assembly, have set forth,  
 That from the extensive Limits of the said Parish, many of the  
 Parishioners, inhabiting the Upper Parts thereof, are so remote from  
 the said Parish Church, that their Attendance, with their Families,  
 at the public Worship and Service of GOD, is rendered extremely  
 difficult, and in the Winter Season almost impossible, and that they  
 are under great Inconveniences (from their being so situated), in  
 getting their Children baptized in the established Religion: They  
 therefore pray an Act may pass, empowering the Justices of Charles  
 County, on Application being made to them by the Vestry of the  
 Parish aforesaid, or the major Part of them, to levy on the taxable  
 Inhabitants of the said Parish, at Two Assessments (clear of all  
 Deductions), a Sum of Tobacco, not exceeding Forty Thousand  
 Pounds, to be laid out by the Vestry of the said Parish, or the major  
 Part of them, in building a Chapel of Ease, for the Conveniency of  
 the upper and remote Inhabitants of the said Parish, and in order to  
 enable the Vestrymen of the said Parish, for the Time being, or the  
 major Part of them, to purchase, or take up (as the Case may require),  
 for the Use of the said Parish, a Quantity of Land, not exceeding  
 Two Acres, lying in the upper Part of the said Parish, at a Place  
 called the Ivy-Spring, on a Branch, called the Dressing-Branch, near  
 the Pines, whereon to erect and build the same: All which being  
 thought reasonable, it is prayed that it may be enacted,

And be it Enacted, by the Right Honourable the Lord Proprietary,  
 by and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of the  
 same, That the Vestrymen and Churchwardens of Port-Tobacco Par-  
 ish, in Charles County, for the Time being, or the major Part of  
 them, be, and are hereby, authorized and empowered, to purchase, or  
 take up as the Case may require), in Fee, in the Name of the Rector,  
 Vestrymen, and Churchwardens, of the said Parish, for the Time  
 being, such a Quantity of Land as to them shall seem most Con-  
 venient, not exceeding Two Acres, lying in the upper Part of the said  
 Parish, at a Place called the Ivy-Spring, on a Branch called the  
 Dressing-Branch, near the Pines, and to treat and agree with such  
 Person or Persons as they, or the major Part of them, shall think

[Two Acres  
 of Land to  
 be purchased  
 to build  
 thereon a  
 Chapel of  
 Ease.]

proper to employ to build a Chapel of Ease thereon, for the Use of the Inhabitants of the said Parish; which said Land when so purchased, and the said Chapel so built, shall be, and is hereby declared to be, constituted and deemed, the Land and Chapel of Ease of the said Parish, and the said Chapel, for ever hereafter, shall be supported and repaired at the Charge of the said Parish.

And be it further Enacted, That the Justices of Charles County, for the Time being, shall be, and they are hereby authorized, directed, and required, on the Application of the Vestrymen and Churchwardens of Port-Tobacco Parish aforesaid, or the major Part of them, to assess and levy, on the taxable Inhabitants of the said Parish, at the laying the said County Levy, in November next, the Sum of Eleven Thousand Pounds of Tobacco; and at the laying the said County Levy, in November, Seventeen Hundred and Fifty Five, the Sum of Thirty Three Thousand Pounds of Tobacco, exclusive of the Sheriff's Salary of Five Pounds per Centum for Collecting the same, which said Sums of Tobacco, so to be assessed as aforesaid, shall be collected by the Sheriff of Charles County, for the Time being, who is hereby authorized and required to collect the same, and the said Tobaccos, when so as aforesaid collected, shall be paid by such Sheriff, to the Vestrymen and Churchwardens aforesaid, for the Time being, or the major Part of them, who are hereby authorized and required to apply the same to the Uses aforesaid.

[44,000 lbs. of Tobacco to be levied in Port Tobacco Parish, at Two Assessments.]

30.<sup>th</sup> May 1754  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honble the Lord Proprietary of this Province  
I will this be Law  
Hor.<sup>o</sup> Sharpe

The great seal in  
Wax Appendant

30<sup>th</sup> May 1754  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho

No. 6 A Supplementary Act to an Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

Whereas, by an Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer, made at a Session of Assembly, held at Annapolis, the Second Day of October, Seventeen Hundred and Fifty Three, it is, amongst other Things, enacted, That it should and might be lawful for the Sheriffs of the several Counties respectively, and they are thereby required not to pay the said Jonas Green the said Sums of Money, mentioned in the said recited Act, or any Part thereof, to be assessed and levied for his Use, unless it should be made appear to them by a Certificate from the Clerk of the respective County, (which Certificate shall be given

[Preamble.]

Liber H. S. by the Clerk without Fee or Reward), that the Public Laws of that  
 No. 1 Session were printed, stitched, and delivered to the Clerk of the  
 p. 150 respective Counties, by the First Day of March last, and unless the  
 Votes and Proceedings of the said Session, were stitched and delivered in Manner aforesaid, by the First Day of April last: And whereas, it is represented, by the said Jonas Green, that although he hath complied with the Printing, Stitching, and Delivering, the said Laws, by the First Day of March, yet the Time was so far elapsed, after his complying therewith, that it rendered the Compleating the Votes and Proceedings of that Session impracticable by the said First Day of April last, by Means whereof he conceives that the Sheriffs may not think themselves at Liberty to pay the several Sums of Money, which have been levied in their respective Counties for that Purpose, by Virtue of the said recited Act, and whereas the said Jonas Green hath now got the said Votes and Proceedings finished, and ready to be delivered: He therefore prays that it may be enacted,

[Sheriffs directed to pay Printer]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That is shall and may be lawful for the Sheriffs of the several Counties, and they are hereby required, to pay to the said Jonas Green the several Sums of Money which have been levied for printing, and stitching, the Votes and Proceedings of the said Session, upon it's being made appear to the Sheriffs respectively, by Certificate from the respective Clerks, that the Three Books of the Votes and Proceedings of the said Session, which are directed by the said recited Act to be kept for the Use of their County, shall have been delivered to the said Clerks respectively; any Thing in the said recited Act to the contrary notwithstanding.

[Laws of Feb. Session to be printed with the Laws of this.]

And be it further Enacted, That it shall and may be lawful for the said Jonas Green to print, stitch, and deliver, the Laws, made at a Session of Assembly, begun and held at Annapolis, the Twenty Sixth Day of February last, together with the Laws which shall be made this present Session of Assembly; any Thing in the said recited Act contained to the contrary notwithstanding.

[Proviso.] Provided nevertheless, That the said Jonas Green shall print, stitch and deliver, the Laws, and the Votes and Proceedings, of this present Session, within the Time by the said Act limited.

30<sup>th</sup> May 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Province I will this be a Law  
 Hor.<sup>o</sup> Sharpe

The great seal in  
 Wax Appendant

30<sup>th</sup> May 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho

I do hereby certify that Richard Burdus Clerk of the Provincial Court and of the Secretarys Office of this Province of Maryland this Day personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid his Council of State and made Oath on the Holy Evangels of Almighty God that he carefully examined all the Laws contained in this Book beginning at folio 142 and ending at folio 150 with the Original Acts that passed the great Seal

Liber H. S.  
No. 1  
p. 151

Sworn to this tenth Day of October Anno Dom. 1754

Bend.<sup>t</sup> Calvert

SEAL

The Seal of the Provincial Court is hereunto affixed on behalf of Edmund Jennings Esquire Deputy Secretary of Maryland

γ R. Burdus Clk of Sec<sup>rys</sup> Off & Pvin.<sup>l</sup> C.<sup>t</sup>



PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, July 17-25, 1754.  
Being the Sixth Session of the Assembly Elected in 1751.*

FREDERICK CALVERT, LORD BALTIMORE,  
*Lord Proprietary.*

HORATIO SHARPE,  
*Governor.*





# PROCEEDINGS

## OF THE

### UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Wednesday the 17.<sup>th</sup> day of July in the 4.<sup>th</sup> year of his Lordship's Dominion Annoq̃ Domini 1754

U. H. J.  
Liber No. 34  
1754, July 17  
p. 597

Present

His Excellency Horatio Sharpe Esq.<sup>r</sup> Governor

The hon. <sup>ble</sup>	{	Benj. <sup>a</sup> Tasker Esq. <sup>r</sup> Col. Cha. <sup>s</sup> Hammond Sam. <sup>l</sup> Chamberlain Esq. <sup>r</sup>	}	Philip Thomas Esq. <sup>r</sup> Benedict Calvert Esq. <sup>r</sup>
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Mess.<sup>rs</sup> Hooper and Carroll from the Lower house acquaint his Excellency that [there] is a Sufficient Number of Members met to make a house and wait his Excellencys Commands.

Col. Hammond and Samuel Chamberlain Esq.<sup>r</sup> are Sent to the Lower House to Acquaint the Speaker that his Excellency requires his immediate attendance with the Lower house in the Upper house

The Lower house attend and his Excellency is pleased to Make the following Speech.

Gentlemen of the Upper and Lower houses of Assembly.

The Chearfullness with which you have attended every business relative to the Common Interests of these his Majestys Colonys obviates every doubt that I might entertain of any exception being taken to my calling You together So Soon, and I flatter myself that the present dangerous Situation of affairs will not only evince the Necessity of it at this time, but engage you without hesitation fully to comply with the directions contained in the Earl of Holdernesses Letter.

The Designs of the French must now be evident to every one. The have openly in Violation of all Treatys invaded his Majestys Territorys and committed the Most Violent Acts of Hostility by Attacking and Intirely defeating the Virginian Troops Under Colonel Washington

In this Emergency the hopes and Expectations of Our Neighbours Whom in duty honour and Interest We are engaged to Support and Defend, are fixed upon us for assistance and what Must the world think of our Conduct, or what Calamity may We not expect, if from an unseasonable Parsimony We coldly look on while they are cut to

U. H. J. Pieces; The Boundless ambition of the common Enemy and the cruel  
 Liber No. 34 Rage of their Savage allies, now upon Our Borders flushed with  
 July 17 Victory indispensibly require a Vigorous and immediate Exertion of  
 all Our Powers to check their Progress

p. 508 The Indians who are our friends likewise claim our assistance,  
 while their Warriors are in the field with our Troops their women  
 and Children are sent to us to be protected and Supported, This is the  
 greatest Demonstration they can give of the Confidence they place in  
 us, nor can I doubt but at this Critical Period when the French  
 are employing every artifice to alleviate their affections from us, You  
 will embrace so fair an opportunity of firmly attaching them to our  
 Interest by taking care to have their Wives and Children Hospitably  
 Treated while they are obliged to Stay with us and implore Our  
 Protection

As our Settlements on the Frontiers must be the first exposed to  
 the Inroads of the Enemy, I have ordered a Supply of Ammunition  
 to Frederick County, and with the Advice of his Ldps Council of  
 State issued a Proclamation for the Militia to be put in the best Pos-  
 ture of Defence that they may be prepared to act in case of Necessity  
 and by the Same Advice have at the Earnest request of Colonel Innes  
 Commander in Chief of the North Carolina Forces granted him a  
 Supply of Arms which considering the present urgency of affairs  
 could not have been denied.

The Money in the Treasurers hands for the Purchasing of arms  
 and Ammunition being near exhausted I must recommend to you in  
 the Strongest manner the Raising a Sufficient Fund for that Purpose  
 so Necessary at this time for the defence of this Province and must  
 likewise observe that the present State of the Militia require your  
 most Serious Attention.

Gentlemen,

There never was a conjuncture in which your Unanimity Vigor  
 and dispatch were more Necessary than now and as I depend upon the  
 prudence of your Resolutions, I am persuaded you will make Such  
 Provisions adequate to the present Emergency, as will best express  
 Your Zeal for his Majestys Service, the Security and Welfare of this  
 Province and the Support of the common Cause

Adjourned till to Morrow Morning ten of the Clock

July 18

Thursday Morning 18.<sup>th</sup> July 1754

This house met again according to Adjournment

Present as Yesterday with the Addition of Cof George Plater

Mess.<sup>rs</sup> Handy and Waggaman from the Lower house attend with  
 Cof John Henry a Member Elected for Worcester County in order

to See him Qualified who takes the Severall Oaths to the Govern- U. H. J.  
ment required by Law repeals and Subscribes the Abjuration and Liber No. 34  
Test and then withdraws. July 18

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Benjamin Tasker Esq.<sup>r</sup> attended by the Members of this house p. 509  
Presents to his Excellency the address of this house which is as  
follows Viz<sup>t</sup>

To his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor and Commander  
in Chief in and over the Province of Maryland

The humble address of the Upper house of assembly  
May it please your Excellency

We return you our Sincere thanks for the speech you was pleased  
to make to both Houses and as We are very Sensible of the dangerous  
Situation of affairs at this Time Relative to the common Interest of  
his Majestys Colonies on this Continent We shall readily concur  
with every proper Measure that may be proposed to us, in order to  
comply with the Directions of the Letter from the Earl of Holder-  
ness, and according to the utmost of Your abilities endeavour to  
answer the hopes and Expectations of Our Neighbours in contrib-  
uting our assistance to check the Progress of Our Common Enemys  
whose Ambitious Designs have urged them to invade his Majestys  
Territorys and commit Such Acts of Hostility as are an open Viola-  
tion of the Most Solemn Treaties.

Benjamin Tasker Presid.<sup>t</sup>

Adjourned till tomorrow Morning ten of the Clock

Friday Morning 19.<sup>th</sup> July 1754

July 19

This house met again According to adjournment

Present as Yesterday

The Governor is pleased to communicate his Answer to the address  
of this house and is as follows Viz.<sup>t</sup>

Gentlemen of the Upper house of Assembly

I Return you Sincere thanks for Your Obliging address, and your  
Sentiments being so agreeable to my own, it gives me the Strongest  
assurance of your Ready Concurrence in every proper Measure that  
the Necessity of affairs really require

Hor.<sup>o</sup> Sharpe

Adjourned till three of the Clock in the afternoon.

U. H. J.  
Liber No. 34  
July 19

Eodem Die post Meridiem

This house met again According to adjournment.

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

July 20

Saturday Morning 20.<sup>th</sup> July 1754

This house met again According to adjournment.

p. 510

Present as Yesterday Except Philip Thomas Esq.<sup>r</sup>

Adjourned till Monday Morning ten of the Clock

July 22

Monday Morning 22.<sup>d</sup> July 1754

This house met again According to adjournment

Present

The hon <sup>ble</sup>	{	Benj. <sup>a</sup> Tasker Esq. <sup>r</sup>	}	Samuel Chamberlain Esq. <sup>r</sup>
		Col. George Plater		Benedict Calvert Esq. <sup>r</sup>
		Col Cha. <sup>s</sup> Hammond		

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This house met again According to adjournment

Present as in the Morning with the addition of Philip Thomas, Rich.<sup>d</sup> Lee Esquires and Colonel Edward Lloyd

His Excellency is pleased to communicate to this house his Ldps answer to the address of this house which follows in these Word.<sup>s</sup>

To the Upper house of Assembly of Maryland

London April 17.<sup>th</sup> 1754

F. Baltimore

Gentlemen of the Upper house.

The Congratulations made me by You on my late alliance and on my Succession to the Government of this Province are not more acceptable Nor can I receive the News of M.<sup>r</sup> Sharp's good conduct with More Satisfaction, than I do your approbation of it, your assurance to me that you Will Support my Just Rights and Propertys, make me extreamly happy nor will I on my part omit any oportunity to do all in my power to Increase your Prosperity.

A Bill from the Lower house by Col Hooper and others Ent.<sup>d</sup> Act for his Majestys Service thus Endorsed.

By the Lower house of assembly 22.<sup>d</sup> July 1754  
 Read the first and Second time by an Especial order & will pass  
 Signed p Order M Macnemara Cl. Lo. Ho.  
 Read the first time in this house and ordered to lye on the Table  
 Adjourned till to morrow Morning ten of the Clock

U. H. J.  
 Liber No. 34  
 July 22

Tuesday Morning 23.<sup>d</sup> July 1754  
 This house met again according to adjournment  
 Present as Yesterday  
 Adjourned till three of the Clock in the afternoon

July 23  
 p. 511

Eodem Die post Meridiem  
 This house met again According to adjournment.  
 Present as in the Morning  
 Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 24.<sup>th</sup> July 1754  
 This house met again according to adjournment

July 24

Present as Yesterday except Philip Thomas Esq.<sup>r</sup>

Eleven Bills from the Lower house by Mess.<sup>rs</sup> Hyland and Gassaway a Bill Ent.<sup>d</sup> An Act Continuing an Act Ent.<sup>d</sup> an Act Additional and Explanatory Act to the Act Ent.<sup>d</sup> an Act empowering the Commissioners of the County Courts to levy and Raise Tobacco to defray the Necessary Charges of their Countys & Parishes a Bill Ent.<sup>d</sup> An Act continuing an Act Ent.<sup>d</sup> an Act for the more Effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from Certain offenders and a Supplementary Act to an Act Ent.<sup>d</sup> an Act to prevent the tumultuous Meetings and other Irregularitys of Negroes and other Slaves and directing the Manner of trying Slaves—A Bill Ent.<sup>d</sup> an Act continuing an Act Ent.<sup>d</sup> an Additional Supplementary Act to the Act Ent.<sup>d</sup> an Act relating to Servants and Slaves—A Bill Ent.<sup>d</sup> an Act continuing an Act to exempt Persons at Musters from Arrests in Civil Cases—A Bill Ent.<sup>d</sup> an Act Continuing an Act Ent.<sup>d</sup> an Act to prevent certain evils and Inconveniencies attending the Sale of Strong Liquors and Running of Horse Races Near the Yearly Meetings of the People called Quakers and to prevent the tumultuous Concourse of Negroes and Other Slaves during the said Meetings & also one other Act Ent.<sup>d</sup> an Act to Mend and Explain an Act Ent.<sup>d</sup> an Act to prevent certain evils and Inconveniencies attending the Sale of Strong Liquors and Running of Horse Races Near the Yearly Meetings of the People

p. 512

U. H. J. called Quakers and to prevent the tumultuous concourse of Negroes  
 Liber No. 34 and Other Slaves During the s.<sup>d</sup> Meetings. Severally thus Endorsed,  
 July 24

By the Lower house of Assembly 23.<sup>d</sup> July 1754.

Read the first & Second time by an Especial order and will pass

Signed ꝑ Order M Macnemara Ct Lo H.<sup>o</sup>

A Bill Ent.<sup>d</sup> an Act continuing an Act Ent.<sup>d</sup> an Act to make the  
 Testimony of Convicted [Persons] legal against Convicted Persons—  
 A Bill Entituled an Act continuing an Act Entit.<sup>d</sup> an Act for destroy-  
 ing of Wolves in Frederick County—A Bill Ent.<sup>d</sup> an Act continuing  
 an Act Ent.<sup>d</sup> an Act for the Punishment of Horse Stealers and other  
 offenders—A Bill Entit.<sup>d</sup> an Act continuing an Act Entit.<sup>d</sup> a Supple-  
 mentary Act to an Act Ent.<sup>d</sup> an Act laying an Imposition on Negroes  
 and Several Sorts of Liquors imported and also on Irish Servants to  
 prevent the importing too great a Number of Irish Papists in to this  
 Province—A Bill Entit.<sup>d</sup> an Act continuing an Act Entit.<sup>d</sup> an Act  
 for the more Effectual Punishment of Certain offenders and for  
 taking from them the Benefit of Clergy—A Bill Ent.<sup>d</sup> an Act continu-  
 ing an Act Ent.<sup>d</sup> an Act to enable the Several and Respective County  
 Clerks within this Province to Remove Some of the County Records  
 and Papers from the Publick offices. Severally thus Endorsed.

By the Lower house of assembly 19.<sup>th</sup> July 1754.

Read the first time and ordered to lye on the Table.

Signed ꝑ Order M Macnemara Ct Lo H.<sup>o</sup>

By the Lower house of Assembly 23.<sup>d</sup> July 1754

Read the Second time and will pass.

Signed ꝑ Order M Macnemara Ct. Lo H.<sup>o</sup>

Read the first Time in this house and ordered to lye on the  
 Table

The Journal of Accounts is brought from the Lower house by  
 Mess.<sup>rs</sup> Stoddart and Waggaman thus Subscribed 24.<sup>th</sup> July 1754

Read and assented to by the Lower house of assembly

Signed ꝑ Order M Macnemara Ct. Lo Ho.

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem.

p. 513 This house met again According to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower house by Mess.<sup>rs</sup> Carroll and  
 Murdock Ent.<sup>d</sup> an Act for his Majestys Service thus Subscribed.

24 July 1754

Read and assented to by the Lower house of assembly

Signed ꝑ Order M Macnemara Ct. Lo. H.<sup>o</sup>

Read and assented to by this house & Ordered to be so Subscribed U. H. J.  
The Paper Bill so Endorsed is Sent to the Lower house by Richard Liber No. 34  
Lee Esq.<sup>r</sup> July 24

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 25.<sup>th</sup> July 1754

July 25

This house met again according to adjournment

Present as Yesterday

Message from the Lower house by Mess.<sup>rs</sup> Lee and Bond

By the Lower house of Assembly 25 July 1754

May It pleas your honours.

As this house is very inclinable that an End be put to this Session it will be agreeable if your honours Sent down the Continuing Bills which lye before you.

Signed p Order M Macnemara Ct Lo. Ho.

Read the Second time the Bill Ent.<sup>d</sup> an Act continuing an Act Ent.<sup>d</sup> an Act for Punishing of Horse Stealers and other offenders—The Bill Ent.<sup>d</sup> An Act continuing an Act Ent.<sup>d</sup> an Act for destroying of Wolves in Frederick County.—The Bill Ent.<sup>d</sup> An Act Continuing an Act Ent.<sup>d</sup> an Act for the more effectual Punishment of Certain offenders and for taking from them the Benefit of Clergy.

The Bill Ent.<sup>d</sup> an Act continuing An Act Ent.<sup>d</sup> An Act to enable the Several and Respective County Clerks within this Province to remove Some of the County Records and Papers from the Publick offices. The Bill Ent.<sup>d</sup> an Act an Act continuing an Act Ent.<sup>d</sup>—a Supplementary Act to Act Ent.<sup>d</sup> an Act laying an Imposition on Negroes and Several Sorts of Liquors imported and also on Irish Servants to prevent the Importation to a great Number of Irish Papists into this Province. The Bill Ent.<sup>d</sup> an Act continuing Act Ent.<sup>d</sup> Act to make the Testimony of Convicted Persons legal against Convicted Persons. The Bill Ent.<sup>d</sup> An Act continuing an Act Ent.<sup>d</sup> p. 514  
an act preventing Persons appearing at Musters from arrests in Civil Cases. The Bill Ent.<sup>d</sup> An Act continuing an Act Ent.<sup>d</sup> An Additional Supplementary Act to the Act Ent.<sup>d</sup> an Act relating to Servants and Slaves. The Bill Ent.<sup>d</sup> An Act continuing an Act Ent.<sup>d</sup> An additional Supplementary Act to the Act Ent.<sup>d</sup> An Act empowering the Commissioners of the County Courts to levy & Raise Tobacco to defray the Necessary Charges of their Countys & Parishes. The Bill Ent.<sup>d</sup> an Act Continuing an Act Ent.<sup>d</sup> an Act for the more Effectual Punishment of Negroes and Other Slaves and for taking away the Benefit of Clergy from Certain offenders and a Supplementary Act to the Act Ent.<sup>d</sup> An Act to prevent the tumultuous Meetings and Other Irregularitys of Negroes and Other Slaves and directing the

U. H. J. Manner of trying Slaves. the Bill Ent.<sup>d</sup> An Act continuing an Act  
 Liber No. 34 Ent.<sup>d</sup> an Act to prevent evils and—Inconveniencies attending the  
 July 25 Sale of Strong Liquors and running of Horse Races Near the  
 Yearly Meetings of the people called Quakers and to prevent the  
 tumultuous concourse of Negroes and other Slaves during the said  
 Meetings and also one other Act Ent.<sup>d</sup> an Act to amend and explain  
 An Act Ent.<sup>d</sup> an Act to prevent Certain Evils and Inconveniencys  
 attending the Sale of Strong Liquors and Running of Horse Races  
 Near the Yearly Meetings of the people called Quakers and to  
 prevent the Tumultuous concourse of Negroes and other Slaves  
 during the Said Meetings, and will pass, Sent to the Lower house  
 by Richard Lee Esq.<sup>r</sup>

Adjourned till three of the Clock in the afternoon.

Eodem Die post Meridiem

This house met again according to adjournment

Present as in the Morning

Eleven Engrossed Bills from the Lower house by Mess.<sup>rs</sup> Wil-  
 liamson and Handy Viz.<sup>t</sup> a Bill Ent.<sup>d</sup> an Act Continuing an Act Ent.<sup>d</sup>  
 an Act for Punishment of Horse Stealers and other offenders—  
 p. 515 A Bill Ent.<sup>d</sup> An Act continuing an Act Ent.<sup>d</sup> an Act for destroy-  
 ing of the Wolves in Frederick Co.<sup>ty</sup> A Bill Ent.<sup>d</sup> an Act continu-  
 ing an Act Ent.<sup>d</sup> an Act for the more Effectual punishment of  
 Certain offenders and for taking from them the Benefit of Clergy—  
 a Bill Ent.<sup>d</sup> An Act continuing an Act Ent.<sup>d</sup> an Act to Enable  
 the Several and Respective County Clerks within this Province to  
 remove Some of the County Record<sup>s</sup> and Papers from the publick  
 offices a Bill Ent.<sup>d</sup> an Act continuing an Act Ent.<sup>d</sup> a Supplementary  
 Act to An Act Ent.<sup>d</sup> an Act laying an Imposition on Negroes and  
 Several Sorts of Liquors impord and also upon Irish Servants to  
 prevent the Importing too great a Number of Irish Papists into this  
 Province A Bill Entit.<sup>d</sup> an Act continuing Act Ent.<sup>d</sup> An Act to Make  
 the Testimony of convicted Persons legal against Convicted Per-  
 sons. A Bill Entituled an Act continuing an Act Ent.<sup>d</sup> an Act to  
 exempt Persons appearing at Musters from Arrests in Civil Cases  
 A Bill Ent.<sup>d</sup> An Act continuing an Additional Supplementary Act  
 to the Act Ent.<sup>d</sup> an Act Relating to Servants and Slaves A Bill Ent.<sup>d</sup>  
 an Act continuing an Act Ent.<sup>d</sup> an Additional to Supplementary Act  
 to the Act Ent.<sup>d</sup> an Act empowering the Commissioners of the County  
 Courts to levy and Raise Tob.<sup>o</sup> to defray the Necessary Charges of  
 their Countys and Parishes. A Bill Ent.<sup>d</sup> An Act—continuing an  
 Act Ent.<sup>d</sup> an Act for the more Effectual Punishm.<sup>t</sup> of Negroes and  
 Other Slaves and for taking away the Benefit of Clergy from  
 Certain offenders, and a Supplementary Act to an Act Ent.<sup>d</sup> an Act  
 to prevent the Tumultuous meetings & Other Irregularitys of Ne-  
 groes and Other Slaves and directing the manner of trying Slaves—



and a Bill Ent.<sup>d</sup> an Act continuing An Act Ent.<sup>d</sup> an Act to prevent certain Evils and Inconveniencys attending the Sale of Strong Liquors and Running of Horse Races Near the Yearly Meetings of the People called Quakers and to prevent the Tumultuous concourse of Negroes and Other Slaves during the s.<sup>d</sup> Meetings and Also one Other Act Ent.<sup>d</sup> an Act to amend and Explain an Act Entitled an Act to prevent certain Evils and Inconveniencies Attending the Sale of Strong Liquors and Running of Horse Races Near the Yearly Meetings of the People called Quakers and to prevent the Tumultuous Concourse of Negroes and Other Slaves during the Said Meetings Severally thus Subscribed

U. H. J.  
Liber No. 34  
July 25

p. 516

25.<sup>th</sup> July 1754

Read and assented to by the Lower house of Assembly.

Signed p Order M Macnemara C<sup>t</sup> Lo. Ho

Read and assented to by this house and Ordered to be so Subscribed

The Paper Bills so Endorsed the Originals of which have passed both Houses this Session are Sent to the Lower house by Richard Lee Esq.<sup>r</sup>

The following Message is Sent to the Lower house with the Journal of Accounts by Sam.<sup>l</sup> Chamberlain Esq.<sup>r</sup>

By the Upper house of Assembly 25.<sup>th</sup> July 1754

Gentlemen

We herewith return you the Journal of Accounts which with the Amendments proposed thereto by Our Message of the 30.<sup>th</sup> May last without the Charge of M.<sup>r</sup> Bladen. We are Willing at this time for the Ease of the Good People of this Province Should pass but at the Same time we must observe that we Shall reserve that Article to a future Session and declare it is upon condition that you will resume the Consideration of that We are Willing to consent the passing this Journal with the other Amendments.

Signed p Order M Macnemara C<sup>t</sup> Lo. H.

Mess.<sup>rs</sup> Harrison and Henry from the Lower house acquaint his Excellency that their house has no business before them,

Cof. Georg Plater and Samuel Chamberlain Esq.<sup>r</sup> are Sent to the Lower house to Acquaint the Speaker that his. Excellency requires his immediate attendance with the Lower House in the Upper house to See the Laws passed both houses this Session receive the Assent.

The Lower house attend and by their Speaker present to his Excellency the following Bills Viz.<sup>t</sup>

An Act for his Majestys Service.

An Act continuing an Act Ent.<sup>d</sup> an Act for Punishment of Horse Stealers and other offenders.

U. H. J. An Act continuing an Act Ent.<sup>d</sup> an Act for destroying of Wolves  
 Liber No. 34 in Frederick County.  
 July 25

An Act continuing an Act Ent.<sup>d</sup> an Act for the more Effectual punishment of Certain offenders and for taking from them the Benefit of Clergy.

An Act continuing an Act Ent.<sup>d</sup> an Act to Enable the Several and Respective County Clerks within this Province to remove some of the County Records and Papers from the Publick offices

An Act continuing an Act Ent.<sup>d</sup> a Supplementary Act to An Act Ent.<sup>d</sup> An Act laying an Imposition on Negroes and Several sorts of Liquors imported and also on Irish Servants to prevent the importing too great a Number of Irish Papists into this Province

An Act continuing an Act Ent.<sup>d</sup> an Act to make the Testimony of Convicted Persons legal against convicted Persons.

An Act continuing an Act Ent.<sup>d</sup> an Act to exempt Persons appearing at Musters from Arrests in Civil Cases.

An Act continuing an Act Ent.<sup>d</sup> an Additional Supplementary Act to the Act Ent.<sup>d</sup> an Act relating to Servants and Slaves.

An Act continuing an Additional Explanatory Act to the Act Ent.<sup>d</sup> an Act empowering the Commissioners of the County Courts to levy and Raise Tob.<sup>o</sup> to defray the Necessary Charges of their Countys and Parishes.

An Act continuing an Act Ent.<sup>d</sup> an Act for the more Effectual punishment of Negroes and other Slaves and for taking from them the Benefit of Clergy from Certain offenders and a Supplementary act to an Act Ent.<sup>d</sup> an Act to prevent the Tumultuous Meetings and other Irregularitys of Negroes and Other Slaves and directing the manner of trying Slaves.

p. 518 An Act continuing An Act Ent.<sup>d</sup> An Act to prevent Certain evils and Inconveniencys attending the Sale of Strong Liquors and Running of Horse Races Near the Yearly Meetings of the people called Quakers and to prevent the tumultuous Concourse of Negroes and other Slaves during the said Meetings.

All which his Excellency passed into Laws in the Usual form by Sealing them with the Right honourable the Lord Proprietary—his Great Seal at Arms and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province.

I will this be a Law

After which his Excellency was pleased to conclude this Session with the following Speech.

Gentlemen of the Upper and Lower houses of Assembly

Before putting an End to this Session I cannot help expressing my Satisfaction with the Confidence you repose in me as to the disposal of the Money granted at this time—which I shall take

care to have employed in the manner that may be most conducive to the Publick Good, I Should have been glad you had taken Under Your Consideration the Other Matters recommended to you at the opening of this Session but as most of you must be desirous of Attending your home affairs at this Session I have with the advice of his Ldps. Council of State thought fit to prorogue this Assembly to the last Tuesday in November Next and you are to take Notice you are prorogued to that day Accordingly.

U. H. J.  
Liber No. 34  
July 25

Thus Ends this Session of Assembly begun and held at the City of Annapolis on Wednesday the 17.<sup>th</sup> day of July on Ending on Thursday the 25.<sup>th</sup> day of the Same Month in the 4.<sup>th</sup> Year of his Ldps Dominion Annoque Domini 1754

J Ross Ct

# PROCEEDINGS

## OF THE

### LOWER HOUSE OF ASSEMBLY

L. H. J. At a Session of Assembly held at the City of Annapolis, on  
 Liber No. 47 Wednesday the 17th Day of July, in the Year of our Lord God 1754,  
 1754, July 17 and in the Fourth Year of the Dominion of the Right Honourable  
 p. 471 Frederick Absolute Lord and Proprietary of the Provinces of  
 Maryland and Avalon, Lord Baron of Baltimore, &c. (His Ex-  
 cellency Horatio Sharpe, Esq; being Governor,) appeared in the  
 Lower House of Assembly,

The Honourable Philip Hammond, Esq; Speaker.

For Kent County,  
 Capt. Alex. Williamson,  
 Mr. Hugh Wallis.

For Baltimore County,  
 Mr. Lloyd Buchanan.

For Anne Arundel County,  
 Doctor Charles Carroll,  
 Major Henry Hall,  
 Capt. John Gassaway.

For Prince George's County,  
 Capt. John Addison,  
 Mr. William Murdock,  
 Mr. George Frasier,  
 Mr. John Hawkins.

For Calvert County,  
 Mr. Benjamin Mackall,  
 Mr. Thomas Reynolds,  
 Mr. Edward Gantt.

For the City of Annapolis,  
 Mr. Walter Dulany,  
 Doctor Alex. Hamilton.

For Charles County,  
 Capt. Arthur Lee,  
 Mr. John Stoddert,  
 Col. Richard Harrison.

For Queen Anne's County,  
 Capt. William Hopper,  
 Mr. James Hollyday.

For Talbot County,  
 Mr. Matthew Tilghman.

For Worcester County,  
 Col. John Scarborough.

For Dorchester County,  
 Col. Henry Hooper,  
 Mr. Charles Goldsborough,  
 Mr. Joseph Cox Gray.

For Frederick County,  
 Daniel Dulany, Esq;  
 Mr. Henry Wright Crabb,  
 Mr. Joseph Chapline,  
 Mr. Nathan Magruder.

A sufficient Number of the Members of the Lower House of Assembly being convened at the Stadt-House, Ordered, That Col. Hooper and Doctor Carroll do acquaint his Excellency the Governor therewith: They return and acquaint Mr. Speaker they delivered the Message.

Col. Hammond, and Samuel Chamberlaine, Esq; from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately in the Upper House,

L. H. J.  
Liber No. 47  
July 17

Mr. Speaker left the Chair, and (attended by the Members of the Lower House) went to the Upper House; where his Excellency made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

p. 472

The Cheerfulness with which you have attended every Business, relative to the common Interest of these his Majesty's Colonies, obviates every Doubt that I might entertain of any Exception being taken to my calling you together again so soon: And I flatter myself, that the present dangerous Situation of Affairs, will not only evince the Necessity of it, at this Time, but engage you, without Hesitation, fully to comply with the Directions contained in the Earl of Holderness's Letter.

The Designs of the French must now be evident to every one: They have openly, in Violation of all Treaties, invaded his Majesty's Territories, and committed the most violent Acts of Hostility, by attacking and intirely defeating the Virginian Troops under Col. Washington.

In this Emergency, the Hopes and Expectations of our Neighbours, whom, in Duty, Honour, and Interest, we are engaged to support and defend, are fixed upon us for Assistance; and what must the World think of our Conduct, or what Calamities may we not expect, if, from an unseasonable Parsimony, we coldly look on, while they are cut to Pieces? The boundless Ambition of the common Enemy, and the cruel Rage of their savage Allies, now upon our Borders, flushed with Victory, indispensably require a vigorous and immediate Exertion of all our Powers, to check their Progress.

The Indians, who are our Friends, likewise claim our Assistance: While their Warriors are in the Field with our Troops, their Women and Children are sent to us, to be protected and supported: This is the greatest Demonstration they can give of the Confidence they place in us. Nor can I doubt, but that at this critical Period, when the French are employing every Artifice to alienate their Affections from us, you will embrace so fair an Opportunity of firmly attaching them to our Interest, by taking Care to have their Wives and Children kindly and hospitably treated, while they are obliged to stay with us and implore our Protection.

As our Settlements on the Frontiers, must be the first exposed to the Inroads of the Enemy, I have ordered a Supply of Ammunition to Frederick County; and, with the Advice of his Lordship's Council of State, issued a Proclamation, for the Militia to be put in the best Posture of Defence, that they may be prepared to Act, in case of Necessity: And, by the same Advice, have, at the earnest Request of Col. Innes, Commander in Chief of the North-Carolina

L. H. J. Forces, granted him a Supply of Arms, which, considering the  
 Liber No. 47 present Urgency of Affairs, could not have been denied.  
 July 17

The Money in the Treasurers Hands, for the purchasing of Arms  
 D. 473 and Ammunition, being near exhausted, I must recommend to you,  
 in the strongest Manner, the raising a sufficient Fund for that Purpose,  
 so necessary at this Time, for the Defence of the Province:  
 And must likewise observe, that the present State of the Militia,  
 requires your most serious Attention.

Gentlemen,

There never was a Conjunction, in which your Unanimity, Vigour,  
 and Dispatch, were more necessary than now: And, as I depend upon  
 the Prudence of your Resolutions, I am persuaded, you will make  
 such Provisions adequate to the present Emergency, as will best  
 express your Zeal, for his Majesty's Service, the Security and Welfare  
 of this Province, and the Support of the common Cause.

Mr. Speaker (with the other Members) returned to the Lower  
 House, and re-assumed the Chair.

His Excellency's Speech was read, and ordered to lie on the  
 Table.

Ordered, That the Rules of the House observed last Session, be  
 observed as such this Session.

Ordered, That the Gentlemen who were of the several Committees  
 from this House last Session, be continued thereon this Session.

Ordered, That Dr. Hamilton, do acquaint the Reverend Mr. Myers,  
 that he is desired, by this House, to read Divine Service, at Seven  
 o'Clock in the Morning, and at Six of the Clock Afternoon, during  
 this Session.

On motion, Ordered, That Mr. Speaker do issue his Warrant to the  
 Secretary of this Province, forthwith to make out a Writ of Election,  
 directed to the Sheriff of Kent County, to elect a Delegate to  
 serve in this Assembly, in the Room of Mr. Abraham Falconar,  
 deceased.

The House adjourns till the morrow Morning at 9 of the Clock.

July 18

Thursday, July 18, 1754.

The House met according to Adjournment: The Members were  
 called and all appeared as Yesterday. The Proceedings were read.

Mr. J. Goldsborough, Mr. Waggaman, Mr. Gillis, and Capt.  
 Handy, appeared in the House.

The House having taken into Consideration his Excellency's  
 p. 474 Speech: Ordered, that the Committee of Laws do prepare an Address  
 to his Excellency thereon.

Col. John Henry, a Delegate returned to serve in this Assembly for  
 Worcester County, appeared in the House.

Ordered, That Capt. John Handy, and Mr. Waggaman, do go with Col. Henry, to the Upper House, to see him qualified: They return and acquaint Mr. Speaker, they saw him qualified, in the usual Manner.

L. H. J.  
Liber No. 47  
July 18

The Gentleman took his Seat in the House.

Col. Hooper, from the Committee of Laws, brings in, and delivers to Mr. Speaker, an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, return your Excellency our hearty Thanks for the Concern you have been pleased to express at calling us so often together, as well as every other Instance of your Regard for the good People of this Province.

Although it is very inconvenient to us to be absent from our respective Businesses at this Season of the Year, yet we shall cheerfully attend the public Service: And immediately take under our most serious Consideration, the Matters recommended in your Excellency's Speech; and endeavour to make such Provision upon the present Occasion, as may be most conducive to his Majesty's Service, and the Safety and Welfare of our Country.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Tilghman, and Mr. B. Mackall, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor was pleased to signify he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Daniel Dulany, Esq; and Ten more, do present the Address.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Bond, Mr. Key, and Mr. Gresham, appeared in the House.

P. 475

The House having taken into Consideration that Part of the Governor's Speech which recommends a Provision to be made for his Majesty's Service, towards the Assistance of the Virginians, now

L. H. J. attacked and invaded by the French: Resolved that the Sum of  
 Liber No. 47 6000 l. Current Money be raised, to be applied for that Purpose.  
 July 18

Ordered, That Mr. Key, Mr. Williamson, Dr. Carroll, Mr. B. Mackall, Mr. Stoddert, Mr. Waggaman, Mr. Tilghman, Col. Hooper, Mr. Buchanan, Mr. Murdock, Mr. Hollyday, Col. John Henry, Mr. D. Dulany, and Mr. W. Dulany, be a Committee to enquire into Ways and Means for raising the Sum of 6000 l. to be applied for his Majesty's Service, towards the Assistance of the Virginians, now attacked and invaded by the French, and that they Report the same to the House.

The House adjourns till the morrow Morning at 9 of the Clock.

July 19

Fryday, July 19, 1754.

The House met according to Adjournment, &c.

Mr. Oldham appeared in the House.

On motion, The Question was put, Whether Persons refusing to take the Oaths to the Government when tendered, shall be taxed for his Majesty's Service, or Not? Resolved in the Negative.

For the Negative.

Bond,	Oldham,	Hamilton,
Key,	Tilghman,	Hopper,
Williamson,	C. Goldsborough,	Hollyday,
Hall,	Buchanan,	Scarborough,
Reynolds,	Addison,	Henry,
Gantt,	Murdock,	D. Dulany,
Harrison,	Frasier,	Chapline,
Waggaman,	Hawkins,	Magruder.
Gillis,	W. Dulany,	

For the Affirmative.

Gresham,	B. Mackall,	J. Goldsborough,
Wallis,	Lee,	Hooper,
Carroll,	Stoddert,	Gray,
Gassaway,	Handy,	Crabb.

His Excellency communicated to Mr. Speaker the following Answer to the Address of this House, viz.

p. 476 Gentlemen of the Lower House of Assembly,

I cannot, without Injustice, forbear expressing to you the real Satisfaction I have received from your Kind Address; and doubt not but your Resolutions, on this important Occasion, will be such as



may best express your Loyalty, and merit the Approbation of every honest and impartial Man.

L. H. J.  
Liber No. 47  
July 19

Hor.<sup>o</sup> Sharpe.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Edmonson appeared in the House.

Mr. Key, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act continuing an Act entituled, An Act for Punishment of Horsestealers, and other Offenders; a Bill entituled, An Act continuing an Act entituled, An Act for destroying Wolves in Frederick County; and, a Bill entituled, An Act continuing an Act entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy; which Bills were severally read the first Time, and ordered to lie on the Table.

Mr. Hollyday, from the Committee of Laws, brings in, and delivers to Mr. Speaker, a Bill entituled, An Act continuing an Act entituled, An Act to enable the several and respective County Clerks, within this Province, to remove some of the County Records, and Papers, from the public Offices; a Bill entituled, An Act continuing an Act entituled, A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported, and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province; and, a Bill entituled, An Act continuing an Act entituled, An Act to make the Testimony of convicted Persons legal against convicted Persons; which Bills were severally read the first Time, and ordered to lie on the Table.

On motion, Leave given, to bring in a Bill, For his Majesty's Service: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns till the morrow Morning at 9 of the Clock.

Saturday, July 20, 1754.

July 20

The House met according to Adjournment, &c.

Major Travers appeared in the House.

Col. Hooper, from the Committee appointed for enquiring into Ways and Means for raising and replacing the Sum of 6000 l. Current Money, for his Majesty's Service, &c. brings in, and delivers to Mr. Speaker, the following Report, viz.

L. H. J.  
Liber No. 47  
July 20

By the Committee appointed by the Honourable the House of Delegates, for enquiring into Ways and Means for raising and replacing the Sum of Six Thousand Pounds Current Money, for his Majesty's Service, towards the Assistance of the Virginians, now attacked and invaded by the French.

Your Committee agree upon the following Ways and Means, viz.

	Currency.
	l. s. d. q.
An Assessment on all Coaches, Chairs, Chaises, and Chariots, or such like Carriages, each Wheel per Annum,	0: 5: 0
On all Ordinary Licenses, an Addition of	1 00 00
On all Servants to be imported into this Province to serve for the Term of Seven Years or upwards, each	1 00 00
On all Servants to be imported for less than Seven Years, or by the Custom of the Country, each	0 05 00
On all Negroes to be imported into this Province, an additional Duty on each	0 10 00
On all Licenses to be granted to Hawkers and Pedlars, each License per Annum	4 00 00
On all Madeira Wine to be imported into this Province, a Duty of per Gallon,	0 00 02
Ordinary Licenses to be applied towards paying the said Sum of 6000 l. after having discharged the several Sums for which it is now engaged.	
	Currency.
	l. s. d. q.
Your Committee find, that there is in the Hands of the Commissioners of the Loan-Office, the Sum of, in Bills of Credit,	3100 10 06
And, by the Account of Edward Lloyd, Esq; as Treasurer of the Eastern Shore, arising by 3 d. per Gallon on Liquors, a Ballance as per his last Account, delivered in to the Assembly,	£. 859 10 9
As also, a Ballance of the Duty of per Poll on Irish Servants and Negroes,	240 01 2 2
	1099 11 11 2
And the Ballance in Col. Hammond's Hands, as Treasurer, of the Western Shore, he has communicated to your Committee to be	900 00 00
	£. 5100 02 05 2

In Case it shall be thought proper to apply the Sum of 1999 l. 11 s. 11 d. 2 q. in the Hands of the Treasurers, for his Majesty's Service, in Aid of the Virginians, then the Sum of 4000 l. 8 s. 0 d. 2 q. may be taken out of the Loan Office, for the same Service, and repaid by the Ways and Means reported by this Committee; but is humbly submitted to your Honourable House.

L. H. J.  
Liber No. 47  
July 26

p. 478

Signed per Order, Beale Nicholson, Clerk.

Which Report being read, the House concurs therewith.

On motion, the Question was put, Whether Hawkers, Pedlars, or Petty-Chapmen, trading in this Province without a License, be liable to the Payment of a Sum of Money, to be ascertained in this Act, or to an Imprisonment without Bail or Mainprize? Resolved, that Hawkers, Pedlars, and Petty-Chapmen, trading in this Province without a License, be liable to the Payment of a Sum of Money, to be ascertained in this Act.

#### For the Payment of a Sum of Money,

Williamson,	Stoddert,	Addison,
Gresham,	Waggaman,	Murdock,
Wallis,	Gillis,	Frasier,
Carroll,	Handy,	Hawkins,
Hall,	J. Goldsborough,	Hopper,
Gassaway,	Oldham,	Crabb,
B. Mackall,	Edmondson,	Chapline,
Reynolds,	Tilghman,	Magruder
Gantt,	Travers,	
Lee,	Gray,	28

#### For Imprisonment,

Bond,	C. Goldsborough,	Hollyday,
Key,	Buchanan,	Scarborough,
Harrison,	W. Dulany,	Henry,
Hooper,	Hamilton,	D. Dulany.

The House adjourns till Monday Morning at 9 of the Clock.

Monday, July 22, 1754,

July 22

The House met according to Adjournment: The Members were called and all appeared as on Saturday. The Proceedings were read.

Mr. Hyland, Mr. Pearce, Mr. Earle, Mr. Tillotson, Col. Robert Jenkins Henry, Mr. Smallwood, Mr. Mills, and Major Ridgely, appeared in the House.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.  
Liber No. 47  
July 22  
p. 479

Post-Meridiem.

The House met according to Adjournment.

Mr. J. J. Mackall, and Mr. Paca, appeared in the House.

Col. Hooper, from the Committee of Laws, brings in and delivers to Mr. Speaker a Bill entitled, An Act for his Majesty's Service; which was read the first and second Time by an especial Order, and will pass, and was sent to the Upper House by Col. Hooper and Three more.

The House adjourns till the morrow Morning at 9 of the Clock.

July 23

Tuesday, July 23, 1754.

The House met according to Adjournment, &c.

The Bill entitled, An Act continuing an Act entitled, An Act for Punishment of Horse-Stealers and other Offenders; the Bill entitled, An Act continuing an Act entitled, An Act for destroying Wolves in Frederick County; the Bill entitled, An Act continuing an Act entitled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy; the Bill entitled, An Act continuing an Act entitled, An Act to enable the several and respective County Clerks, within this Province, to remove some of the County Records and Papers from the public Offices; the Bill entitled, An Act continuing an Act entitled, A Supplementary Act to an Act entitled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported; and also on Irish Servants, to prevent the importing too great a Number of Irish Papists into this Province; and the Bill entitled, An Act continuing an Act entitled, An Act to make the Testimony of convicted Persons legal against convicted Persons; were severally read the second Time, and will pass.

Mr. Tilghman, from the Committee of Laws, brings in and delivers to Mr. Speaker a Bill entitled, An Act continuing an Act entitled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases; a Bill entitled, An Act continuing an Act entitled, An additional Supplementary Act to the Act entitled, An Act relating to Servants and Slaves; a Bill entitled, An Act continuing an Act entitled, An additional and explanatory Act to the Act entitled, An Act empowering the Commissioners of the County Courts to levy and raise Tobacco, to defray the necessary Charges of their Counties and Parishes; and a Bill entitled, An Act continuing an Act entitled, An Act for the more effectual Punishment of Negroes, and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act entitled, An Act to prevent the tumultuous Meeting, and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves; which

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Bills were severally read the first and second Time by an especial Order, and will pass.

L. H. J.  
Liber No. 47  
July 23

The House adjourns till 2 of the Clock Afternoon.

Post-Meridieum.

The House met according to Adjournment, &c.

His Excellency communicated to Mr. Speaker an Answer of the Right Honourable the Lord Proprietary, to the Address of this House viz.<sup>t</sup>

“ To the Lower House of Assembly of Maryland

F. Baltimore

London, April 17<sup>th</sup> 1754

Gentlemen of the Lower House I Return you my Sincerest Thanks for all your kind Congratulations to me

Your Care and Vigilance of the Rights of your Constituents are highly Commendable and your assured Regard to preserve my just Rights and properties must be very acceptable; I shall be ever ready to redress any just Complaints that you may (hereafter) think proper to lay before me.

I am greatly pleased to hear that my Governor, Mr. Sharpe is so very agreeable to you. I make no doubt that he will do all in his Power to continue to deserve the Great Encomiums you bestowed on him.

As I have always wished to promote the Trade and Prosperity of the Province of Maryland, I will take a proper opportunity to lay your petition before his Majesty's Board of Trade, and will use my best Endeavours towards the Completion thereof.”

Mr. Tilghman, from the Committee of Laws, brings in and delivers to Mr. Speaker, a Bill entituled, An Act continuing an Act entituled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concourse of Negroes and other Slaves, during the said Meetings; and also one other Act entituled, An Act to amend and explain an Act entituled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concourse of Negroes and other Slaves, during the said Meetings; which was read the first and second Time by an especial Order, and will pass. p. 481

The House adjourns till the morrow Morning at 9 of the Clock.

L. H. J.  
Liber No. 47  
July 24

Wednesday, July 24, 1754.

The House met according to Adjournment, &c.

The several Bills for continuing the several Acts therein mentioned, which were read the second Time Yesterday, in this House and passed, were sent to the Upper House, by Mr. Hyland and Capt. Gassaway.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for his Majesty's Service; indorsed, " By the Upper House of Assembly, July 22, 1754. Read the first Time, and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho."

And thus, " By the Upper House of Assembly, July 24, 1754. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was read here, and passed for ingrossing.

The Journal of Accounts was sent to the Upper House by Mr. Stoddert and Mr. Waggaman.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment.

Col. Hooper, from the Committee of Laws, brings in and delivers to Mr. Speaker an ingrossed Bill entituled, An Act for his Majesty's Service: which was read and assented to, and sent to the Upper House, with the Paper Bill, by Doctor Carroll and Mr. Murdock.

The House adjourns till the morrow Morning at 9 of the Clock.

July 25

Thursday, July 25, 1754.

The House met according to Adjournment, &c.

p. 482 The following Message:

By the Lower House of Assembly, July 25, 1754.

May it please your Honours,

As this House is very inclinable that an End be put to this Session, it will be agreeable if your Honours send down the continuing Bills, which lie before you.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Sent to the Upper House, by Capt. Lee and Mr. Bond.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, the several Bills following, viz.

A Bill entituled, An Act continuing an Act entituled, An Act for Punishment of Horse-Stealers and other Offenders; the Bill entituled, An Act continuing an Act entituled, An Act for destroying Wolves

in Frederick County; the Bill entitled, An Act continuing An Act entitled, An Act for the more effectual Punishment of certain Offenders, &c. the Bill entitled, An Act continuing an Act entitled, An Act to enable the several and respective County Clerks, &c. the Bill entitled, An Act continuing an Act entitled, A Supplementary Act to an Act entitled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported, &c. the Bill entitled, An Act continuing an Act entitled, An Act to make the Testimony of convicted Persons legal against convicted Persons; a Bill entitled, An Act continuing an Act entitled, An Act to exempt Persons appearing at Musters, &c. a Bill entitled, An Act continuing an Act entitled, An additional Supplementary Act to the Act entitled, An Act relating to Servants and Slaves; a Bill entitled, An Act continuing an Act entitled, An additional and explanatory Act to the Act entitled, An Act empowering the Commissioners of the County Courts to levy, &c. a Bill entitled, An Act continuing an Act entitled, An Act for the more effectual Punishment of Negroes, &c. and, a Bill entitled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers, &c.

L. H. J.  
Liber No. 47  
July 25

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All severally indorsed, "By the Upper House of Assembly, July 24, 1754. Read the first Time, and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho."

And thus, "By the Upper House of Assembly, July 25, 1754. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho."

Which Bills were severally here read, and passed for ingrossing.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

The House met according to Adjournment, &c.

Col. Hooper, from the Committee of Laws, brings in and delivers to Mr. Speaker, an ingrossed Bill entitled, An Act continuing an Act entitled, An Act for Punishment of Horse-Stealers and other Offenders; an ingrossed Bill entitled, An Act continuing an Act entitled, An Act for destroying Wolves in Frederick County; an ingrossed Bill entitled, An Act continuing an Act entitled, An Act for the more effectual Punishment of certain Offenders, &c. an ingrossed Bill entitled, An Act continuing an Act entitled, An Act to enable the several and respective County Clerks, &c. an ingrossed Bill entitled, An Act continuing an Act entitled, A Supplementary Act to an Act entitled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported, &c. an ingrossed Bill entitled, An Act continuing an Act entitled, An Act to make the Testimony of convicted Persons legal against convicted Persons; an ingrossed Bill

p. 484

L. H. J. entitled, An Act continuing an Act entitled, An Act to exempt  
 Liber No. 47 Persons appearing at Musters, &c. an ingrossed Bill entitled, An  
 July 25 Act continuing an Act entitled, an additional Supplementary Act  
 to the Act entitled, An Act relating to Servants and Slaves; an  
 ingrossed Bill entitled, An Act continuing an Act entitled, An addi-  
 tional and explanatory Act to the Act entitled, An Act empowering  
 the Commissioners of the County Courts to levy, &c. an ingrossed  
 Bill entitled, An Act continuing an Act entitled, An Act for the more  
 effectual Punishment of Negroes, &c. and, an ingrossed Bill entitled,  
 An Act continuing an Act entitled, An Act to prevent the Evils and  
 Inconveniences attending the Sale of strong Liquors, and running of  
 Horse-Races, near the yearly Meeting of the People called Quakers,  
 &c. Which Bills were severally read and assented to, and sent to the  
 Upper House, with the Paper Bills, by Mr. Williamson and Mr.  
 Handy.

p. 485 Samuel Chamberlain, Esq; from the Upper House, delivers to  
 Mr. Speaker the Journal of Accounts, and the following Message,  
 viz.

By the Upper House of Assembly, July 25, 1754.

Gentlemen,

We herewith return you the Journal of Accounts, which, with the  
 Amendments proposed thereto by our Message of the 30th of May  
 last, without the Charge of Mr. Bladen's, we are willing at this Time,  
 for the Ease of the good People of this Province, should pass; but,  
 at the same Time, we must observe, that we shall reserve that Arti-  
 cle to a future Session, and declare it is upon Condition that you will  
 resume the Consideration of it, that we are willing to consent to the  
 passing this Journal, with the other Amendments.

Signed per Order, J. Ross, Cl. Up. Ho.

Ordered, That Col. Harrison, and Col. Robert Jenckins Henry, do  
 acquaint his Excellency that no public Business lays before this House  
 to transact: They return and acquaint Mr. Speaker they delivered the  
 Message.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker  
 the several Paper Bills that passed both Houses of Assembly this  
 Session; which Bills were severally indorsed, "By the Upper House  
 of Assembly, July 25, 1754. The ingrossed Bill whereof this is the  
 Original, is read and assented to.

Signed per Order, J. Ross, Cl. Up. Ho."

George Plater, and Samuel Chamberlain, Esquires, from the Upper  
 House, acquaint Mr. Speaker, that the Governor requires the Atten-  
 dance of the Lower House immediately, in the Upper House.

Mr. Speaker left the Chair, and (attended by the Members of the  
 Lower House) went to the Upper House, and Presented to his  
 Excellency,



An ingrossed Bill entitled, An Act for his Majesty's Service.

L. H. J.  
Liber No. 47  
July 25

An ingrossed Bill entitled, An Act continuing an Act entitled, An Act for Punishment of Horse-Stealers, and other Offenders.

An ingrossed Bill entitled, An Act continuing an Act entitled, An Act for destroying Wolves in Frederick County.

An ingrossed Bill entitled, An Act continuing an Act entitled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy.

An ingrossed Bill entitled, An Act continuing an Act entitled, An Act to enable the several and respective County Clerks within this Province, to remove some of the County Records and Papers from the Public Offices. p. 486

An ingrossed Bill entitled, An Act continuing an Act entitled, a Supplementary Act to an Act entitled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported; and also on Irish Servants, to prevent the importing too great a Number of Irish Papists into this Province.

An ingrossed Bill entitled, An Act continuing an Act entitled, An Act to make the Testimony of convicted Persons legal against convicted Persons.

An ingrossed Bill entitled, Act continuing an Act entitled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases.

An ingrossed Bill entitled, An Act continuing an Act entitled, An additional Supplementary Act to the Act entitled, An Act relating to Servants and Slaves.

An ingrossed Bill entitled, An Act continuing an Act entitled, An additional and explanatory Act to the Act entitled, An Act empowering the Commissioners of the County Courts to levy and raise Tobacco, to defray the necessary Charges of their Counties and Parishes.

An ingrossed Bill entitled, An Act continuing an Act entitled, An Act for the more effectual Punishment of Negroes, and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act entitled, An Act to prevent the tumultuous Meeting, and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves.

An ingrossed Bill entitled, An Act continuing an Act entitled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People Called Quakers, and to prevent the tumultuous Concourse of Negroes and other Slaves, during the said Meetings; and also one other Act entitled, An Act to amend and explain an Act entitled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races,

L. H. J. near the yearly Meetings of the People called Quakers, and to prevent  
Liber No. 47 the tumultuous Concourse of Negroes and other Slaves, during the  
July 25 said Meetings.

All which his Excellency the Governor passed into Laws, in the usual Form; and made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

Before putting an End to this Session, I cannot help expressing my Satisfaction with the Confidence you repose in me as to the Disposal of the Money granted at this Time, which I shall take Care to have employed in the Manner that may be most conducive to the Public  
p. 487 Good. I should have been glad you had taken under your Consideration the other Matters recommended to you at the Opening of this Session; but as most of you must be desirous of attending your Home Affairs at this Season, I have, with the Advice of his Lordship's Council of State, thought fit to prorogue this Assembly to the last Tuesday in November next; and you are to take Notice you are prorogued to that Day accordingly.

Thus endeth this Session of Assembly, this Twenty-fifth Day of July, Anno Domini 1754.

Test. M. Macnemara, Cl. Lo. Ho.

## ACTS OF THE ASSEMBLY PASSED IN JULY 1754

At a Session of Assembly begun and held at the City of Annapolis the Seventeenth Day of July in the fourth Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c.<sup>a</sup> Anno<sup>o</sup> Domini 1754 and ending the twenty fifth Day of the same Month.

Liber H. S.  
No. 1  
p. 152

The following Laws were enacted and assented to by his Excellency Horatio Sharpe Esquire Governor.

### No. 1 An Act for his Majesty's Service.

Whereas the Right Honourable the Earl of Holdernes, by his Letter dated Whitehall, August 28, 1753, directed to his Excellency the Governor of this Province, hath signified the March of a considerable Number of Indians, not in Alliance with the King, supported by some regular European Troops, intending to commit some Hostilities on Parts of his Majesty's Dominions in America, as it was apprehended, and to instruct him to keep a Correspondence with the neighbouring Governors, for preventing any evil Consequences from such intended Invasion. And whereas, the Governor of Virginia hath signified to his said Excellency, that the French, and their allied Indians, have used many Violences on his Majesty's Subjects within that Dominion, and that it further appears to this General Assembly, that the French, with an armed Force, have dispossessed many of his Majesty's Subjects of Settlements which they had made, and were about to improve, within his Majesty's Dominions, and threaten the March of many Men, with Artillery, and other Stores, for erecting Forts, and Places of Strength, on the River Ohio, and the Branches thereof, as well to prevent the British Nation from a Settlement thereon, as a Trade with the native Indians to the Westward, which at all Times heretofore they had enjoyed without the least Let or Interruption. And further threaten any of his Majesty's Subjects with Loss of Goods and Liberty, who they shall find trading on the said River, or Branches thereof. And whereas, lately, an armed Force of French, with many of their allied Indians, have marched into his Majesty's Territories, inhabited by his Majesty's Subjects, and in a hostile Manner attacked a smaller Body of his Majesty's Forces, under the Command of Col. George Washington, and killed and destroyed many of his Majesty's faithful Subjects, within the inhabited Part of the Territory of Virginia, and near the Borders of this Province, and done or caused many other Evils to be perpetrated against his Majesty's Subjects, as well by them the said French, as

[Preamble.]

Liber H. S. by their allied Indians: Wherefore, to demonstrate our Willingness  
 No. 1 to answer his Majesty's Commands, signified as aforesaid, and also,  
 to assist our neighbouring Colony of Virginia, it is humbly prayed  
 that it may be enacted,

p. 153 And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Commissioners of the Loan-Office, for the Time being, shall and do pay to his Excellency Horatio Sharpe, Esq; Governor of Maryland, or his Order, or to the Commander in Chief for the Time being, or his Order, for his Majesty's Service, the Sum of Four Thousand Pounds Eight Shillings, in Bills of Credit, towards the Defence of the Colony of Virginia, and his Majesty's Dominions, and the Relief and Support of the Wives and Children of the Indian Allies, that put themselves under the Protection of this Government, at such Times, and in such Sums, as he the said Horatio Sharpe, Esq; or the Commander in Chief for the Time being, shall find necessary, and the Receipt or Receipts of his Excellency Horatio Sharpe, Esq; Governor of Maryland, or of the Commander in Chief for the Time being, or of the Persons to whom payable, on such Order or Orders, shall be sufficient to justify the said Commissioners of the Loan-Office for such Payment or Payments, the said Commissioners keeping a distinct Account of all such Payments: And that the Treasurer of the Western-Shore of this Province for the Time being shall, and he is hereby directed and empowered to pay unto the said Horatio Sharpe, Esq; or his Order, or to the Commander in Chief for the Time being, or his Order, the Sum of Nine Hundred Pounds Current Money, for the Purposes aforesaid: And that the Treasurer of the Eastern-Shore for the Time being shall, and he is hereby directed and empowered to pay unto the said Horatio Sharpe, Esq; or his Order, or to the Commander in Chief for the Time being, or his Order, the Sum of One Thousand and Ninety Nine Pounds Twelve Shillings Current Money, for the same Purposes. And for the Repayment and Replacing of the said several Sums, amounting in the Whole to Six Thousand Pounds, so to be paid to the said Horatio Sharpe, Esq; or the Commander in Chief for the Time being, or his or their Order,

Be it further Enacted, by the Authority, Advice and Consent aforesaid, That all and every Hawker, Pedlar, or Petty-Chapman, travelling on Foot, or Horse-Back, or otherwise carrying Goods and Merchandize from Place to Place, or to the Dwelling-Houses of the good People of this Province, or to Fairs and Markets within the same, after the First Day of October next, shall, before they trade, barter, or sell, any such Goods or Merchandize, take out License, from some County Clerk within this Province; and every County Clerk within this Province, for the Time being, is hereby directed

[4000 l. 8 s. Currency, to be paid to the Governor out of the Paper-Office, for his Majesty's Service.]

[900 l. by the Treasurer of the Western Shore:]

[And, 1099 l. 12 s. by the Treasurer of the Eastern Shore:]

[6000 l. in the Whole.]

[For replacing the said Sum, every Pedlar to take out License:]

and obliged, upon Application of any such Hawker, Pedlar, or Petty-Chapman, to make out License for such Pedlar, Hawker, or Petty-Chapman, in the Words following, viz. "License is hereby granted unto A. B. to travel and trade as a Hawker, Pedlar, and Petty-Chapman, within the Province of Maryland, for the Space and Term of One Year, to commence from the Date hereof, he behaving himself well. Given under my Hand and the Seal of the Office, at \_\_\_\_\_, in \_\_\_\_\_ County, this \_\_\_\_\_ Day of \_\_\_\_\_, 175 \_\_\_\_\_." For which License and Seal, such Pedlar, Hawker, or Petty-Chapman, shall pay the Sum of Four Pounds, Current Money, to such County Clerk; as also, for a Fee, the Sum of Five Shillings, Money aforesaid: And all such Hawkers, Pedlars, and Petty-Chapmen, shall, and they are hereby obliged, before they shall trade or barter as aforesaid, to renew such License yearly, and every Year, paying the like Sum of Four Pounds for such License, as also, for a Fee on every such License, the Sum of Five Shillings, with the same Clerk from whom he or they first took such License, or with some other County Clerk within this Province.

Liber H. S.  
No. 1

[The Form.]

[To pay 4 l. for each License, and a Fee of 5 s. to the Clerk.]

p. 154

And be it likewise Enacted, That before any License shall be granted to any Hawker, Pedlar, or Petty-Chapman, to trade within this Province, such Hawker, Pedlar, or Petty-Chapman, shall, and he or they are hereby obliged to take the several Oaths (or Affirmation if a Quaker) of Allegiance, Abhorrency, and Abjuration, and sign the same, and repeat and subscribe the Test, before such County Clerk from whom he or they shall obtain License as aforesaid, which County Clerk is hereby authorized, impowered, and directed, to tender and administer the same accordingly.

[To take the Oaths to the Govern-ment.]

And be it likewise Enacted, That in Case any Hawker, Pedlar, or Petty-Chapman, shall, after the Time aforesaid, be found travelling with Goods for Sale within this Province, without first applying for and obtaining a License for that Purpose, according to the Intent and Directions of this Act, such Hawker, Pedlar, or Petty-Chapman, shall forfeit and pay the Sum of Eight Pounds, Current Money, one Moiety whereof to be paid to the Sheriff of the County where the Conviction shall be had, and applied for his Majesty's Service, to the Uses mentioned in this Act, and the other Moiety to the Informer; to be recovered by Indictment, or Information, in the County Court where such Offence shall be committed.

[Penalty on Pedlars for travelling without a License.]

And be it likewise Enacted, That any Person, but more particularly, every high Sheriff and his Deputies, Constable, Vestryman, and Churchwarden, within this Province, shall and may, and they, and every of them, are hereby directed and impowered to examine such Pedlar, Hawker, or Petty-Chapman, and require him or her to produce his or her License, and in Case of Refusal or Neglect of such Pedlar, Hawker, or Petty-Chapman, to produce the same, to carry

[Pedlars to be examined.]

Liber H. S. such Pedlar, Hawker, or Petty-Chapman, before any Justice of the  
 No. 1 Peace, and such Justice is hereby impowered and directed to bind over  
 such Hawker, Pedlar, or Petty-Chapman, to the next County Court,  
 there to be dealt with according to Law.

[Proviso, as  
 to Linens,  
 &c. made  
 here.] Provided always, That Persons travelling with Linen of the  
 Growth and Manufacture of this Province, and selling or bartering  
 the same, or any Kind of Provision, or Hemp, Flax, Thread or  
 Yarn, only of the Growth or Manufacture of this or any other  
 Place, shall not be deemed or held as Hawkers, Pedlars, or Petty-  
 Chapmen, within this Act; any Thing herein to the contrary not-  
 withstanding.

And be it further Enacted, That for all Coaches, Chairs, Chaises,  
 [Wheels of  
 Coaches,  
 Chairs, &c to  
 be tax'd  
 yearly the  
 sum of 5 s.  
 for each  
 Wheel;] and Chariots, or such like Carriages, belonging to, and used by, the  
 Inhabitants of this Province, there shall be paid by the respective  
 Owners thereof, the Sum of Five Shillings Current Money yearly,  
 for every Wheel belonging to such Coaches, Chairs, Chaises, and  
 Chariots, or such like Carriages, and that the Constables of the  
 respective Hundreds in the several Counties within this Province,  
 shall yearly, and every Year, at the Time of taking the Taxables in  
 their respective Hundreds, take an exact Account of the Number of  
 [Constables  
 to return  
 Lists every  
 August  
 Court;]  
 p. 155  
 [County  
 Clerks to  
 make out  
 Two Lists,  
 at Nov.  
 Court.] Wheels belonging to all such Coaches, Chairs, Chaises, Chariots, and  
 such like Carriages, in their respective Hundreds, and return Lists  
 of the same at every August Court, and Two Lists thereof shall be  
 made out by the respective Clerks Ex Officio at every November  
 Court, at the laying of their County Levy, One List thereof to be  
 transmitted to the Commissioners of the Loan-Office for the Time  
 being, and the other List delivered to the Sheriff, who is by this Act  
 impowered and obliged to collect the Money aforesaid, in Bills of  
 [Sheriff's  
 Commission  
 for collect-  
 ing.] Credit, in the same Manner that the County Levy is collected, and  
 yearly pay the same to the Commissioners of the Loan-Office for the  
 Time being, for which the said Sheriff shall retain to his own Use a  
 Commission of Two and an Half per Centum.

[Masters of  
 Ships im-  
 porting Ser-  
 vants for 7  
 Years, to pay  
 20 s. for  
 each;] And be it likewise Enacted, That all Masters of Ships and Vessels,  
 and others, importing Servants into this Province, by Land or Water,  
 to serve for the Term of Seven Years or upwards, at the Time of  
 their Entry, shall pay unto the Naval-Officer for the Time being,  
 belonging to such Port or Place where they make their Entry, the  
 Sum of Twenty Shillings Current Money per Poll, for each Servant:  
 [For every  
 one under 7,  
 to pay 5 s.] And that all Masters of Ships and Vessels, and others, importing  
 Servants into this Province, by Land or Water, to serve by Indenture,  
 or Custom of the Country, for a less Term than Seven Years, at the  
 Time of their Entry, shall pay unto the Naval-Officer for the Time  
 being, belonging to such Port or Place where they make their Entry,  
 the Sum of Five Shillings Current Money per Poll, for each Ser-

vant: And that for every Negro imported into this Province, by Land or Water, the Importer or Importers of such Negro or Negroes, shall pay to the said Naval Officer, the Sum of Ten Shillings Current Money, over and above the Duties or Impositions already directed and appointed to be paid by any former Act or Acts of Assembly of this Province: And that there shall be paid a Duty of Two Pence Current Money per Gallon, on all Madeira Wine imported into this Province, by Land or Water, by the Importer, or Importers, to the respective Naval-Officer of the Port or Place where the same shall be imported or brought into this Province, by Land or Water, as aforesaid.

Liber H. S.  
No. 1

[For each  
Negro 10 s.  
beside the  
former  
Duty:]

[And, 2,  
Pence a Gal-  
lon for all  
Madeira  
Wine.]

And be it further Enacted, That the Naval-Officers aforesaid shall yearly transmit to the Commissioners of the Loan-Office, an Account, upon Oath, of the Monies by them respectively received, in Virtue of this Act, for the Duties or Impositions aforesaid, and yearly pay to the Commissioners or Trustees, the Monies aforesaid, by them to be received as aforesaid, retaining in his or their Hands respectively, a Commission of Two and an Half per Cent. And that the Office-Bonds of the said Naval-Officers, and their Sureties in such Bonds, shall be answerable for all Monies so by the respective Naval-Officers to be received as aforesaid.

[Naval Off-  
cers to trans-  
mit Accounts  
upon Oath:]

[Their Com-  
mission.]

And be it likewise Enacted, That every Master of a Ship or Vessel, or other Person, who shall import Servants into this Province, shall make true Discovery, upon Oath, to the said Naval-Officers, of the Number of Servants by them imported, and the Time they have to serve.

[Masters of  
Vessels to be  
sworn.]

Provided always, and it is hereby Declared, That no Germans, or other Aliens, coming into this Province, from any Port of the United Provinces, or Flanders, shall be held or deemed liable to pay the Duty or Duties hereby imposed on Servants; any Thing in this Act to the contrary in any wise notwithstanding.

[German  
Passengers  
excepted.]  
p. 156

Provided also, That in Case any Duty shall be paid for Negroes, or Servants, in Virtue of this Act, and that such Negroes and Servants cannot be sold by the Importers, and that such Importer shall desire to export such Slaves or Servants, and shall give Bond with sufficient Sureties to the Naval-Officer to whom such Duty hath been paid, that he or they shall and will export such Slaves or Servants to any other his Majesty's Plantations, it shall be lawful for such Naval-Officer to repay the same Duty for such Slaves or Servants, so as aforesaid by him received, in Proportion to the Number of Slaves or Servants so Bonded to be exported, and that a Certificate under the Hand and Seal of the Collector and Naval-Officer of the District in any other his Majesty's Colonies, where the said Servants or Slaves shall be carried to, that such Servants and Slaves have been bona fide entered with such Collector and Naval-Officer, returned to the Naval-

[In Case  
Servants and  
Negroes  
cannot be  
sold, the Na-  
val Officers  
are to repay  
back the  
Duty.]

Liber H. S. Officer taking such Bond, in the Space of Six Months after the Date  
No. 1 of such Bond, shall vacate the same.

[County  
Clerks to  
pay the  
Money for  
Pedlars Li-  
censes, into  
the Office:] And it is hereby further Enacted, That the respective County  
Clerks within this Province shall, and they are hereby obliged and  
directed, to pay all the Money which they shall receive from Time to  
Time, and at all Times during the Continuance of this Act, for  
Licenses to Hawkers, Pedlars, and Petty-Chapmen, to the Commis-  
sioners of the Loan-Office for the Time being, deducting to such  
Clerk or Clerks a Commission of Two and an Half per Centum, and  
[Their Com-  
mission.] so in Proportion for a greater or lesser Sum; and that the Bonds of  
such respective County Clerks, for Discharge of their Offices, with  
themselves and their Sureties respectively, in such Bonds, shall stand  
and be liable for all Monies which they shall receive, by Virtue of this  
Act, and shall and may be sued for the Non-Payment thereof, as for  
any other Neglect or Breaches in their respective Offices.

[Ordinary-  
Keepers to  
pay 20 s.  
more than  
was directed  
by a former  
Act, for each  
License.] And be it likewise Enacted, That every Ordinary-Keeper within  
this Province shall, on taking out License next August Court, and  
every August Court, during the Continuance of this Act, in the  
respective Counties where such Ordinary-Keeper, or Keepers, shall  
or do reside, pay to the Sheriff the Sum of Twenty Shillings, Current  
Money of Maryland, over and above the Money heretofore directed  
to be paid for such License or Licenses, in the same Manner as is  
directed by an Act of Assembly of this Province entituled, An Act for  
issuing and taking out of the Office of the Commissioners, or  
p. 157 Trustees, appointed for emitting Bills of Credit established by Act  
of Assembly, the Sum of Four Thousand Five Hundred Pounds,  
Current Money, for Encouragement of such able-bodied Freemen as  
shall voluntarily enlist themselves, in his Majesty's Service, for the  
intended Expedition against Canada, and for maintaining and con-  
veying them to the Place of Rendezvous, and also for replacing of the  
said Sum, and for the better regulating Ordinaries, and Ordinary-  
Keepers, and for other Purposes therein mentioned.

[Sheriffs to  
pay into the  
Loan-Office  
yearly.] And be it likewise Enacted, That the several and respective Sheriffs  
shall, and they are hereby directed and obliged, to pay all Monies  
which they shall receive, by Virtue of this and the before recited Act,  
to the Commissioners of the Loan-Office yearly, in the same Manner,  
and under the same Regulation, as is directed by this and the said  
recited Act.

[Part of a  
former Act  
continued.] And be it likewise Enacted, That such Parts of the Act of Assem-  
bly entituled, An Act for issuing and taking out of the Office of the  
Commissioners, or Trustees, appointed for emitting Bills of Credit  
established by Act of Assembly, the Sum of Four Thousand Five  
Hundred Pounds, Current Money, for Encouragement of such able-  
bodied Freemen as shall voluntarily enlist themselves in his Majesty's  
Service, for the intended Expedition against Canada, and for main-



taining and conveying them to the Place of Rendezvous, as also for replacing of the said Sum, and for the better regulating Ordinaries, and Ordinary-Keepers, and for other Purposes therein mentioned, as relate to the Regulating of Ordinaries, Ordinary-Keepers, granting Ordinary-Licenses, and the several Clauses, Matters and Things therein mentioned, concerning the same, shall be, and are hereby continued in full Force, until such Time as the Purposes of the said recited Act, and an Act of Assembly of this Province entituled, An Act for issuing and taking out of the Office of the Commissioners, or Trustees, for emitting Bills of Credit established by Act of Assembly, the Sum of Nine Hundred Pounds, Current Money, in Bills of Credit, as also for the Payment of Two Hundred Pounds, Sterling Money, for purchasing Provisions for his Majesty's Forces raised in this Province, and other Purposes, and for continuing Part of, an Act therein mentioned, shall be fully answered; and also until such Time as that the Sum of Six Thousand Pounds hereby directed to be paid, shall be raised and paid to the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly as aforesaid, for the Uses and Purposes in this Act mentioned, with such further Sum or Sums of Money as shall or may arise by this and the aforesaid recited Act hereby continued, and to the End of the next Session of Assembly which shall thereafter happen.

And be it further Enacted, That the Commissioners of the Loan-Office for the Time being, shall, and they are hereby obliged, required, and directed, to keep a distinct and particular Account of Money paid to the Uses of this Act, and upon every Payment to be made to them, to Credit such Account, by the Person paying the same, and upon the particular Branch of the Provisions made by this Act, for the Repayment of the said Monies to be issued by Virtue and Direction of this Act. And that in Case during the Continuance of the said recited Act hereby continued, or this present Act, any more Money shall be raised or paid to the Commissioners or Trustees aforesaid, in Virtue thereof, and this Act, than the said Sum of Four Thousand Pounds Eight Shillings, to be paid by the Commissioners or Trustees aforesaid, and the said Sum of Nineteen Hundred and Ninety Nine Pounds Twelve Shillings, taken out of the Treasurer's Hands, that the Surplus or Remainder shall be, and is hereby directed to be, appropriated and applied towards Discharge of the Public Expences of this Province, as the General Assembly thereof, for the Time being, shall direct and appoint; and the said Commissioners shall pay the said Nineteen Hundred and Ninety Nine Pounds Twelve Shillings, as also such Surplus, when received, as the General Assembly shall direct and appoint, and that the Office-Bonds of the said Commissioners, and their Sureties, shall be answerable for all Monies by them received in Virtue of this Act.

Liber H. S.  
No. 1

[Commissioners to keep exact and particular Accounts.]  
p. 138

Liber H. S. This Act to commence on the first Day of August, in the Year, One  
 No. 1 Thousand Seven Hundred and Fifty Four, and continue until the said  
 [Continuation.] Sum of Six Thousand Pounds, hereby directed to be paid, shall be  
 levied, collected, repaid, and replaced, unto the Commissioners or  
 Trustees aforesaid, in Manner as is herein before directed, and until  
 the End of the next Session of Assembly which shall happen after the  
 said Repayment and Replacing.

24<sup>th</sup> July 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Province  
 I will this be a Law  
 Hor.<sup>o</sup> Sharpe

24<sup>th</sup> July 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 2 An Act continuing an Act entitled, An Act for Punishment of  
 Horse-Stealers, and other Offenders.

Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of the  
 same. That an Act of Assembly of this Province entitled, An Act  
 for Punishment of Horse-Stealers, and other Offenders, made at a  
 Session of Assembly, begun and held at the City of Annapolis, the  
 First Day of May, Anno Domini One Thousand Seven Hundred and  
 Forty Four, be, and is hereby continued, and shall remain and be in  
 full Force, for and during the Term of Three Years next ensuing,  
 and to the End of the next Session of Assembly which shall happen  
 after the End of the said Three Years.

[An Act  
 continued.]

P. 159

25<sup>th</sup> July 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Province  
 I will this be a Law  
 Hor.<sup>o</sup> Sharpe

25<sup>th</sup> July 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 3 An Act continuing an Act entitled, An Act for destroying Wolves  
 in Frederick County.

Be it Enacted, by the Right Honourable the Lord Proprietary,  
 by and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of  
 the same. That an Act of Assembly of this Province entitled, An  
 Act for destroying Wolves in Frederick County, made at a Session  
 of Assembly, begun and held at the City of Annapolis, the Fifteenth  
 Day of May, Seventeen Hundred and Fifty One, be, and is hereby

[An Act  
 continued.]

continued, and shall remain and be in full Force, for and during the Term of Three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said Three Years. Liber H. S. No. 1

25<sup>th</sup> July 1754  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho

On behalf of the Right  
Honourable the Lord  
Proprietary of this Prov-  
ince I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

25 July 1754  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 4 An Act continuing an Act entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty Sixth Day of April, Seventeen Hundred Thirty and Seven, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said Three Years. [An Act continued.]

25<sup>th</sup> July 1754  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho

On behalf of the Right  
Honourable the Lord  
Proprietary of this Prov-  
ince I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

25 July 1754  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 5 An Act continuing an Act entituled, An Act to enable the several and respective County Clerks within this Province, to remove some of the County Records and Papers from the Public Offices. p. 160

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act to enable the several and respective County Clerks within this Province to remove some of the County Records and Papers from the Public Offices, made at a Session of Assembly, begun and held at the [An Act continued.]

Liber H. S. City of Annapolis, the Tenth Day of May, One Thousand Seven  
 No. 1 Hundred and Forty Eight, be, and is hereby continued, and shall  
 remain and be in full Force, for and during the Term of Three  
 Years next ensuing, and to the End of the next Session of Assembly  
 which shall happen after the End of the said Three Years.

25.<sup>th</sup> July 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honble the Lord Proprietary of this Province  
 I will this be a Law  
 Hor.<sup>o</sup> Sharpe

25 July 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 6 An Act continuing an Act entituled, A Supplementary Act to an  
 Act entituled, An Act laying an Imposition on Negroes, and several  
 Sorts of Liquors imported, and also on Irish Servants, to  
 prevent the importing too great a Number of Irish Papist into  
 this Province.

[An Act continued.] Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 and with the Advice and Consent of his Lordship's Governor, and the  
 Upper and Lower Houses of Assembly, and the Authority of the  
 same, That an Act of Assembly of this Province entituled, A Supple-  
 mentary Act to an Act entituled, An Act laying an Imposition on  
 Negroes, and several Sorts of Liquors imported, and also on Irish  
 Servants to prevent the importing too great a Number of Irish  
 Papists into this Province, made at a Session of Assembly, begun and  
 held at the City of Annapolis, the Twentieth Day of March, Anno  
 Domini One Thousand Seven Hundred and Thirty Four, be, and is  
 hereby continued, and shall remain and be in full Force, for and dur-  
 ing the Term of Three Years next ensuing, and to the End of the  
 next Session of Assembly which shall happen after the End of the  
 said Three Years.

25.<sup>th</sup> July 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho

On behalf of the Right  
 Honourable the Lord  
 Prop<sup>y</sup> of this Province I  
 will this be a Law  
 Hor.<sup>o</sup> Sharpe

25 July 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 7 An Act continuing an Act entituled, An Act to make the Testimony  
 p. 161 of convicted Persons legal against convicted Persons.

[An Act continued.] Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of the  
 same, That an Act of Assembly of this Province entituled, An Act to  
 make the Testimony of convicted Persons legal against convicted

Persons, made at a Session of Assembly, begun and held at the City of Annapolis, the Fifteenth Day of May, Anno Domini One Thousand Seven Hundred and Fifty One, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Three Years next ensuing, and to the End of the next Session of Assembly, which shall happen after the End of the said Three Years.

Liber H. S.  
No. 1

25<sup>th</sup> July 1754  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho.

On behalf of the Right  
Honourable the Lord  
Proprietary of this Province I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

25 July 1754  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 8 An Act continuing an Act entitled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entitled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases, made at a Session of Assembly, begun and held at the City of Annapolis, the Tenth Day of May, Anno Domini Seventeen Hundred and Forty Eight, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said Three Years.

[An Act  
continued.]

25.<sup>th</sup> July 1754  
Read and Assented to  
by the Lower House of  
Assembly  
Signed p Order  
M Macnemara Cl lo ho

On behalf of the Right  
Honble the Lord Proprietary of this Province I will this be a Law  
Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

25 July 1754  
Read and Assented to  
by the Upper House of  
Assembly  
Signed p Order  
J. Ross Cl Up Ho.

No. 9 An Act continuing an Act entitled, An additional Supplementary Act to the Act entitled, An Act relating to Servants and Slaves.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entitled, An Additional Supplementary Act to the Act entitled, An Act relating to Servants and Slaves, made at a Session of Assembly, begun and held at the City of Annapolis, the Tenth Day of May, One Thousand Seven Hundred and Forty Eight, be, and is hereby continued, and

[An Act  
continued.]

p. 162

Liber H. S. shall remain and be in full Force, for and during the Term of Three  
 No. 1 Years next ensuing, and to the End of the next Session of Assembly  
 which shall happen after the End of the said Three Years.

25.<sup>th</sup> July 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Pro-  
 vince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

25 July 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 10 An Act continuing an Act entituled, An additional and explanatory  
 Act to the Act entituled, An Act empowering the Commissioners of  
 the County Courts to levy and raise Tobacco, to defray the neces-  
 sary Charges of their Counties and Parishes.

[An Act  
 continued.] Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of the  
 same, That an Act of Assembly of this Province entituled, An addi-  
 tional and explanatory Act to the Act entituled, An Act empowering  
 the Commissioners of the County Courts to levy and raise Tobacco,  
 to defray the necessary Charges of their Counties and Parishes, made  
 at a Session of Assembly, begun and held at the City of Annapolis,  
 the Tenth Day of May, One Thousand Seven Hundred Forty  
 and Eight, be, and is hereby continued, and shall remain and be in  
 full Force, for and during the Term of Three Years next ensuing,  
 and to the End of the next Session of Assembly which shall happen  
 after the End of the said Three Years.

25.<sup>th</sup> July 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Pro-  
 vince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

25 July 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

the great seal in  
 Wax Appendant

No. 11 An Act continuing an Act entituled, An Act for the more effectual  
 Punishment of Negroes, and other Slaves, and for taking away the  
 Benefit of Clergy from certain Offenders; and a Supplementary  
 Act to an Act entituled, An Act to prevent the tumultuous Meet-  
 ing, and other Irregularities of Negroes and other Slaves, and  
 directing the Manner of trying Slaves.

Be it Enacted, by the Right Honourable the Lord Proprietary, by  
 and with the Advice and Consent of his Lordship's Governor, and  
 the Upper and Lower Houses of Assembly, and the Authority of the

same, That an Act of Assembly of this Province entitled, An Act for the more effectual Punishment of Negroes, and other Slaves, and for taking away the Benefit of Clergy from certain Offenders, and a Supplementary Act to an Act entitled, An Act to prevent the tumultuous Meeting, and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves, made at a Session of Assembly, begun and held at the City of Annapolis, the Fifteenth Day of May, Anno Domini One Thousand Seven Hundred and Fifty One, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said Three Years.

Liber H. S.  
No. 1

[An Act  
continued.]  
p. 163

25<sup>th</sup> July 1754  
Read and Assented to  
by the Lower House of  
Assembly

Signed p Order  
M Macnemara Cl lo ho

On behalf of the Right  
Honourable the Lord  
Propy of this Province I  
will this be a Law

Hor.<sup>o</sup> Sharpe

the great seal in  
Wax Appendant

25 July 1754  
Read and Assented to  
by the Upper House of  
Assembly

Signed p Order  
J. Ross Cl Up Ho.

No. 12 An Act continuing an Act entitled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concource of Negroes and other Slaves, during the said Meetings; and also one other Act entitled, An Act to amend and explain an Act entitled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concource of Negroes and other Slaves, during the said Meetings.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That one Act of Assembly of this Province entitled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concource of Negroes and other Slaves, during the said Meetings, made at a Session of Assembly, begun and held at the City of Annapolis, the Sixteenth Day of May, One Thousand Seven Hundred and Forty Seven: And also, one other Act of Assembly of this Province, entitled, An Act to amend and explain an Act entitled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of

[An Act  
continued.]

Liber H. S. the People called Quakers, and to prevent the tumultuous Concourse  
 No. 1 of Negroes and other Slaves, during the said Meetings, made at a  
 Session of Assembly, begun and held at the City of Annapolis, the  
 Third Day of June, One Thousand Seven Hundred and Fifty Two,  
 be, and are hereby continued, and shall remain and be in full Force,  
 for and during the Term of Three Years next ensuing, and to the  
 p. 164 End of the next Session of Assembly which shall happen after the  
 End of the said Three Years.

25<sup>th</sup> July 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Pro-  
 vince I will this be a Law  
 Hor.<sup>o</sup> Sharpe

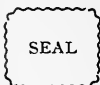
the great seal in  
 Wax Appendant

25 July 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho.

I do hereby Certify that Richard Burdus Clerk of the Provincial  
 Court and of the Secretary's Office of the Province of Maryland this  
 Day personally appeared before me the Subscriber one of the Right  
 Honourable the Lord Proprietary of the Province aforesaid his  
 Council of State and made Oath on the Holy Evangels of Almighty  
 God that he carefully examined all the Laws contained in the Book  
 beginning at Folio 152 and ending at Folio 164 with the Original  
 Acts that passed the Great Seal

Sworn to this Thirteenth Day of December Anno Dom. 1754

Bend.<sup>t</sup> Calvert



The Seal of the Provincial Court is hereunto Affixed on  
 behalf of Edmund Jennings Esquire Deputy Secretary of  
 Maryland

p R. Burdus Clk Sec.<sup>rys</sup> Office & Pvin<sup>l</sup> Court



PROCEEDINGS AND ACTS  
OF THE  
GENERAL ASSEMBLY OF MARYLAND

*At a Session Held at Annapolis, December 12-24, 1754.  
Being the First Session of the Assembly Elected in 1754.*

FREDERICK CALVERT, LORD BALTIMORE,  
*Lord Proprietary.*

HORATIO SHARPE,  
*Governor.*



# PROCEEDINGS

## OF THE

### UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Thursday the 12<sup>th</sup> day of December in the 4<sup>th</sup> Year of his Lordships Dominion Annoq̄ Domini 1754.

U. H. J.  
Liber No. 34  
1754,  
December 12  
p. 519

Present

His Excellency Horatio Sharpe Esq<sup>r</sup> Governor

The Honourable {	Benjamin Tasker Esq. <sup>r</sup>	} Co <sup>t</sup> Benjamin Tasker
	Co <sup>t</sup> George Plater	} Richard Lee Esq. <sup>r</sup>
	Co <sup>t</sup> Charles Hammond	} Benedict Calvert Esq. <sup>r</sup>

Mess.<sup>rs</sup> Murdock & Lloyd from the Lower house acquaint his Excellency that there is a sufficient Number of Members met to make a house and wait his Excellencys Commands

Co<sup>t</sup> George Plater & Richard Lee Esq.<sup>r</sup> are Sent to the Lower house to Administer the Oaths to the Government appointed to be taken by Act of Assembly of this Province to the Several Members of that house there present and Ordered that the Clerk of this house attend them who Administered the said Oaths to the Several Members then Present and they all Subscribed the Abjuration & Test.

Benedict Calvert Esq.<sup>r</sup> is Sent to acquaint the Lower house that his Excellency requires their immediate attendance in the Upper house

The Members of the Lower house Attend and his Excellency requires them to return to their house & make Choice of a Speaker

Mess.<sup>rs</sup> Henry & Mackall from the Lower house acquaints His Excellency their house had made Choice of a Speaker.

Co<sup>t</sup> Tasker is Sent to the Lower house to Acquaint them that his Excellency requires their Attendance in the Upper house to Present their Speaker for his Approbation

The Lower house Attend and Present Co<sup>t</sup> Henry Hooper to his Excellency as their Speaker who is Pleased to Approve of their Choice, and then makes the following Speech

Gentlemen of the Upper & Lower houses of Assembly

As the late Transactions of the French on this Continent and the consequences that must inevitably attend their Execution of the Scheme they have Projected against us, have been so often discanted on, in the most publick manner since the same unhappy Cause that

U. H. J. calls us together at this disagreeable Season first obliged me after my  
 Liber No. 34  
 December 12

Arrival to desire an extraordinary Meeting of the Several Branches  
 of this Legislature; I presume there is little Occasion for me at this  
 Time to repeat the Several Arguments which the present Posture of  
 p. 520 Affairs must Suggest to you, as Sufficient Motives to prompt you to  
 exert yourselves at this Important Juncture. You are not now I conceive to learn that in pursuance of a Plan to Secure a Communication between their Northern & Southern Settlements and in Time render themselves Masters of all the Continent from Cape Breton to the Gulf of Mexico, that restless & ambitious People have proceeded to build Several Forts on his Majestys Lands, One especially at a small distance from the Frontiers of this Province and have Garrisoned it with a large Body of regular Troops. That they already extend their Claim to Lands far within the Limits of this Province, and are making great preparations for enlarging their Conquests; That not Satisfied with cutting us off from all Intercourse with the Indian Natives with whom We have hitherto it Seems presumed to carry on a Contraband Trade, they have employed Numbers of those Natives to depopulate and distress these Colonies and have also themselves Committed every Kind of Hostility on our fellow Subjects who have been unfortunate enough to be Exposed to their Cruelty & Insults

These Gentlemen are Circumstances that present to our view no very Agreeable Prospect; and I doubt not but the Repetition of them makes every one of Us burn with Resentment and urges us to take the most Speedy and effectual Measures to prevent the dreadful Calamities that our Posterities must otherwise feel from the Vicinity of such People.

What Resolutions the Virginians have hereupon taken I apprehend you are no Strangers to, and I am encouraged to hope; that the other Neighbouring Governments whom I have Solicited will Shew an equal Zeal, and emulate their Conduct, that your Resolutions will Confirm the Opinion his Majesty has been pleased to entertain of you and Merit the Confidence that he has thought fit to Repose in the affections & Loyalty of his Maryland Subjects by distinguishing their Governor with the honour of Commanding the combined Forces that shall be Assembled to oppose the Enemys hostile Attempts, I entertain the most Sanguine hopes that you will generously concur with the Neighbouring Provinces to Enable me to Answer his Majestys Expectations and Royal Intention in honouring me with such a Commission, a Commission also from his Lordship the Lord Proprietary whereby his Lordship from an Earnest Desire & Solicitude to Contribute to the Restoration of Peace and Tranquillity to this and the other British Colonies has been pleased to Dispence with my Temporary Absence from his Government that I may pay the most ready & punctual Obedience to his Majestys Commands shall with the Royal Commission be laid before You: And I will assure You that

the View of being thereby enabled to Contribute in a more particular manner than I could have otherwise done to the Security and future Quiet of this Province makes me Receive these testimonies of his Majestys & his Lordships favour, with Infinite Pleasure and enter on the Service with the greatest Alacrity, and Gentlemen as my future Reputation will in a great Measure depend on the issue of this Meeting, I cannot help again repeating my hopes that your Resolves will be such, as must demand my acknowledgements and make it my future constant Study to express my Gratitude, by my endeavours to Promote to the utmost of my ability the welfare and prosperity of the People you are here to Represent

U. H. J.  
Liber No. 34  
December 12  
p. 521

The following are the Papers Referred to in the foregoing Speech

Sir

Whitehall 5.<sup>th</sup> July 1754

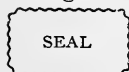
It is with a particular Satisfaction that I herewith Send you His Majestys Commission appointing you to be Lieutenant Colonel of Foot in America, with an Allowance of 30<sup>th</sup> p day to be paid you by Mr. Dinwiddie Lieutenant Governor of Virginia from the day that you leave your Governm.<sup>t</sup> to that of your Return, I am likewise to Signify unto you the Kings Orders that you should take upon you the Command of the Combined Forces that shall be Assembled in America to oppose the Hostile Attempts Committed by the French in different parts of his Majestys Dominions. And I am farther to acquaint you with the Kings Pleasure that you should Repair as soon as may be after the Receipt of this Letter to Virginia in order to consort with Lieut.<sup>t</sup> Governor Dinwiddie the best Measures to be taken for the Execution of these his Majestys directions, and as you will find that Gentleman not only Provided with Instructions from hence but likewise with a Considerable Sum of Money to be applied to the public Service upon this occasion you will be best able to Settle with him a Proper Plan of Operations. in the Execution whereof I most heartily wish you all Possible Success, and I doubt not but that you will Carry on his Majestys Measures in manner agreeable to his Royal Expectations

I am sir

Your Most Obedient Humble Servant

T Robinson

George R.



George the Second by the Grace of God King of Great Britain France and Ireland Defender of the Faith &c. To our trusty & welbeloved Horatio Sharpe Esq.<sup>r</sup> Greeting We reposing especial trust & Confidence in your Loyalty Courage & Experience in Military affairs Do by these presents Constitute and appoint you to be Lieutenant Colonel of Foot in the West Indies and do give and

U. H. J.  
Liber No. 34  
December 12

Grant unto you full Power and Authority to take your Rank as Lieutenant Colonel of Foot in the West Indies only, And you are therefore to take upon you the said Charge & Command of Lieuten.<sup>t</sup> Col<sup>t</sup> of Foot as af.<sup>d</sup> and Carefully and diligently to discharge the duty thereof by doing & Performing all and all manner of thing[s] thereunto belonging; and we Do hereby Command all Officers & Soldiers to obey you as Lieutenant Colonel of Foot in the West Indies and you are to observe & follow such Orders and directions from time to time as you shall Receive from Us, our Captain General of our Forces or any other your Superiour officer according to the Rules & Discipline of War, in pursuance of the Trust We hereby Repose in You. Given at Our Court at Kinsington the fifth day of July 1754 in the Twenty Eighth year of our Reign.

p. 522

By his Majestys Command  
T Robinson

Entered with the  
Secretary at War.  
Edw.<sup>d</sup> Lloyd

F. Baltimore

Frederick Absolute Lord & Proprietary of the Province of Maryland and Avalon in American and Baron of Baltimore in the Kingdom of Ireland To Our trusty and welbeloved Horatio Sharpe Esq.<sup>r</sup> Lieutenant General and Chief Governor of our said Province of Maryland Greeting Whereas his Majesty from the great Confidence he has in your Military Skill & Abilities has thought it for the Publick Service to Constitute and appoint you Lieutenant Colonel of the Forces Intended to be Sent against the Forces who have Invaded his Majestys Dominions in the Province of Virginia and other Parts of America and I being desirous to further such his Majestys Royal Intention and to do all in my Power to oppose and Repel the Common Enemy and to Express the great Satisfaction it gives me that his Majesty has done me the honour to Shew this repealed approbation of my Choice of you for my Governor of my Province of Maryland by Granting you his own immediate Commission as an officer fit and Proper to be Employed in so great and National an undertaking and out of the Regard I have for You & from a Sincere Inclination to promote your Welfare I Do hereby Signify my desire that you do forthwith proceed to pay all due & punctual Obedience to his Majestys Royal Commission according to the Tenor & true Intent & meaning thereof and in Case his Majestys Service in Consequence of the said Commission shall require your Temporary absence from my said Province I do further Declare my free Leave and Absent there to and that such Your absence from my said Province in Obedience to his Majestys said Commission shall not in any respect invalidate your Commission as my Lieutenant Governor of Maryland Provided that you return to my said Province to resume the Gov-

ernment thereof when and as often as his Majestys Service shall permit you so to do, And it is my further Will and Pleasure that during your Absence out of the said Province upon this great Necessary and National Service the Powers of Government over my said Province of Maryland be Exercised by the President or Senior Member for the time being of my Council whom you are to Authorize & Commissionate for that Purpose when and as the same shall become Necessary Agreeable to the Instructions already Received or which shall be hereafter Received from me and I do hereby require you forthwith to Signify or Cause to be Signified to the Council of State and to both Houses of Assembly within my said Province of Maryland as well the Royal Commission with which his Majesty has been Most graciously Pleased to invest you upon this Important Service as this my leave of Absence hereby Granted to you from my said Province. And in a more Particular manner I Do require & enjoin you that you do in the most Serious & earnest manner recommend it to the Good People of my said Province that they do in furtherance of his Majestys Royal Intentions and in manifestation of their own just Abhorance & Resentment at the unprovoked Insults and attempts of the Invaders most heartily co-operate with his Majesty and their Neighbouring Governments by granting such effectual Supplies and prosecuting such Vigorous Measures against the Common Enemy as shall demonstrate to all future ages the Distinguished Zeal and Loyalty of this my Province of Maryland to their Sovereign and the Cause of their Country Given at London under hand and greater Seal at Arms this Sixth day of July in the Twenty Eighth year of the Reign of our Sovereign Lord King George the Second and in the fourth year of our Dominion over the said Province Annoque Domini One thousand Seven hundred and fifty four

U. H. J.  
Liber No. 34  
December 12

p. 523

SEAL

By his Lordships Command  
Cæcil.<sup>s</sup> Calvert Secretary

Mess.<sup>rs</sup> Lloyd & Henry from the Lower house acquaint his Excellency that their house hath made Choice of Mr. Michael Macnemara for their Clerk and hopes for his Excellencys approbation to whom his Excellency was pleased to declare that he approved of their Choice.

Mess.<sup>rs</sup> Lloyd & Henry from the Lower house attend with M.<sup>r</sup> Michael Macnemara Clerk of the said house in order to See him Qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and Subscribes the Abjuration and Test and also takes the usual Oath of Office and then withdraw

Mess.<sup>rs</sup> Carroll & Hall from the Lower house Attend with M.<sup>r</sup> Philip Hammond a Member Ellected for Ann Arundel County in Order to See him Qualified who takes the Several Oaths to the

U. H. J. Governm<sup>t</sup> required by Law Repeats & Subscribes the Abjuration &  
 Liber No. 34 Test & then withdraws  
 December 12  
 p. 524 Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

December 13

Friday Morning 13.<sup>th</sup> December 1754

This house met again according to Adjournment

Present as Yesterady except Co<sup>t</sup> Hammond

Mess<sup>rs</sup> Buchanan and Tolley from the Lower house attend with M<sup>r</sup> Paca a Member Ellected for Baltimore County in order to See him Qualified who takes the Several Oaths to the Government required by Law Repeats & Subscribes the Abjuration and Test and then withdraws

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

December 14

Saturday Morning 14 December 1754

This house met again according to Adjournment

Present as Yesterday

Mess<sup>rs</sup> Paca and Tolley from the Lower house attend with M<sup>r</sup> Govane a Member Ellected for Baltimore County in order to See him Qualified who takes the Several Oaths to the Government required by Law Repeats and Subscribes the Abjuration and Test and then withdraws.

Benjamin Tasker Esq.<sup>r</sup> attended by the Members of this house Present to his Excellency the Address of this house which follows in these words

To his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor & Commander in Chief in and over the Province of Maryland

The Humble Address of the Upper house of Assembly

May it Please your Excellency

We return your Excellency our Sincere [Thanks] for your Speech at the opening of this Session, and for calling us together, at this



Time, when the Common Safety so much requires the most effectual Measures to be taken to repel the hostile Invasions of the French who have now Advanced almost to our Doors

U. H. J.  
Liber No. 34  
December 14

We should think ourselves unworthy of the Blessings We enjoy, if, on this Occasion, and at this Juncture when so many Motives Concur to Induce us we do not every thing in our Power, to convince your Excellency the hopes you have Placed in us are not in vain

We congratulate your Excellency upon the honour his Majesty has don[e] you in promoting you to the Command of the Combined Forces upon the Ohio and ourselves in being so honoured in our Governor, But We are Sensible which ever of his Majestys Colonies had had the happiness of being Governed by Your Excellency would have been the object of his Majestys Choice

p. 525

His Lordship the Lord Proprietarys Regard to you, and Inclination to promote your welfare and his goodness in contributing his Endeavours for the Restoration of the Peace and Tranquility of this and the Neighbouring Colonies demand our most grateful acknowledgements Your Excellencys Abilities are Sure Presages to us of Success; We earnestly wish it and that your absence may be as Short as Possible, and that you may return to us, after every Campaign in Safety and with Honour

Benj.<sup>a</sup> Tasker Presid.<sup>t</sup>

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

Monday Morning 16 Decem<sup>r</sup> 1754

December 16

This house met again according to Adjournment

Present

The Hon <sup>ble</sup>	{	Benjamin Tasker Esq. <sup>r</sup>	}	Co <sup>t</sup> Benjamin Tasker
		Co <sup>t</sup> George Plater		Richard Lee Esq <sup>r</sup>
		Co <sup>t</sup> Charles Hammond		Benedict Calvert Esq. <sup>r</sup>

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esq<sup>r</sup>

U. H. J. The Governor is pleased to communicate to this house his Answer  
 Liber No. 34 to the Address of this house which is as follows  
 December 16

Gentlemen of the Upper house of Assembly

I am extremely obliged, by the Satisfaction you are Pleased to Shew, at the honour his Majesty has been pleased to Confer on me; by Your Assurance of enabling me to the utmost of Your Power to Answer his Majestys Expectations from me and by the earnest wishes you Express for my Success in the Important undertaking

Hor.<sup>o</sup> Sharpe

Adjourned till to Morrow Morning 10 of the Clock

December 17

Tuesday Morning 17.<sup>th</sup> Decem.<sup>r</sup> 1754

This house met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

p. 526

Present as in the Morning

Adjourned till to Morrow Morning 10 of the Clock

December 18

Wednesday Morning 18<sup>th</sup> Dec<sup>r</sup> 1754

This house met again according to Adjournment

Present as Yesterday Except Co<sup>l</sup> Hammond

Mess.<sup>rs</sup> Handy and Dennis from the Lower house attend with M.<sup>r</sup> Waggaman a member Ellected for Somerset County in order to See him Qualified who takes the Several Oaths to the Government required by Law Repeats and Subscribes the Abjuration and Test & then withdraws

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morning ten of the Clock

December 19

Thursday Morning 19 December 1754

This house met again according to Adjournment

Present as Yesterday with the Addition of Co<sup>l</sup> Hammond

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morning ten of the Clock

U. H. J.  
Liber No. 34  
December 19

Friday Morning 20 Decem<sup>r</sup> 1754

December 20

This house met again according to Adjournment

Present as Yesterday Except Co<sup>t</sup> Hammond

A Message from the Lower house by Mess.<sup>rs</sup> Dulany & Henry

By the Upper house of Assembly 20 December 1754

May it Please Your honours

This house hath appointed M<sup>r</sup> Dulany M<sup>r</sup> Earle Co<sup>t</sup> John Henry M<sup>r</sup> Edge M<sup>r</sup> Beall & M<sup>r</sup> Handy a Committee from this house to Inspect the Accounts and Proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly and desire your honours to appoint one or more of the Members of your house to join in the said Committee

Signed p Order M Macnemara C<sup>t</sup> Lo H<sup>o</sup>

The following Message is Sent to the Lower house by Rich.<sup>d</sup> Lee Esq.<sup>r</sup>

By the Upper house of Assembly 20 December 1754

Gentlemen

This house hath appointed Richard Lee Esq<sup>r</sup> to join the Members Named by your house in a Committee to Inspect the Accounts & proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross C<sup>t</sup> Up H<sup>o</sup>

Adjourned till 3 of the Clock in the Afternoon

p. 527

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 21 December 1754

December 21

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess.<sup>rs</sup> Goldsborough & Chase Entituled an Act for taking and detaining able Bodied men for his Majestys Service thus Endorsed

U. H. J.  
Liber No. 34  
December 21

By the Lower house of Assembly 20 December 1754

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.<sup>o</sup>

By the Lower house of Assembly 21 December 1754

Read the Second time & will pass

Signed p Order M Macnemara Ct Lo H.<sup>o</sup>

Read the first time in this house & Ordered to lye on the Table

A Bill from the Lower house by Doctor Carroll & fourteen others  
Entituled an Act for Raising a Supply towards his Majestys Service  
thus Endorsed

By the Lower house of Assembly 21 December 1754

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.<sup>o</sup>

By the Lower house of Assembly 21 December 1754

Read the Second time by an Especial Order & will Pass

Signed p Order M Macnemara Ct Lo H.<sup>o</sup>

Read the first time in this house and Ordered to lye on the Table

Adjourned till Monday Morning 10 of the Clock

December 23

Monday Morning 23 December 1754

This house met again according to Adjournment

Present

The Honourable	{	Benjamin Tasker Esq. <sup>r</sup>	}	Richard Lee Esq. <sup>r</sup>
		Cot George Plater		Benedict Calvert Esq. <sup>r</sup>
		Cot Benjamin Tasker		

Read the Second time the Bill Entituled an Act for taking and  
detaining able Bodied men for his Majestys Service and will pass  
Sent to the Lower house by Benedict Calvert Esq.<sup>r</sup>

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

p. 528 Present as in the Morning with the Addition of Cot Hammond

An Engrossed Bill from the Lower house by Mess<sup>rs</sup> Tilghman &  
Govane Entituled an Act for taking & detaining able bodied men for  
his Majestys Service thus Subscribed

23 December 1754

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.<sup>o</sup>

Read and Assented to by this house and Ordered to be so Sub-  
scribed. The Paper Bill so Endorsed the Original of which has  
passed both houses this Session is Sent to the Lower house by  
Cof Tasker

U. H. J.  
Liber No. 34  
December 23

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 24, December 1754

December 24

This house met again according to Adjournment

Present as Yesterday

Read the Second time the Bill Entituled an Act for Raising a Sup-  
ply towards his Majestys Service and will not Pass Sent to the Lower  
house by Richard Lee Esq.<sup>r</sup>

A Bill from the Lower house by Mess.<sup>rs</sup> Tilghman & Crabb Enti-  
tuled an Act directing the Commissioners of the Paper Currency  
Office to call in the Interest due on Bonds & other Securities and all  
Monies due on funds Payable into the said Office thus Endorsed

By the Lower house of Assembly 24 December 1754

Read the first & Second Time by an Especial Order & will pass

Signed p Order M Macnemara C<sup>t</sup> Lo H<sup>o</sup>

Read the first time in this house & Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Second time by an Especial Order the Bill Entituled an  
Act directing the Commissioners of the Paper Currency Office to  
call in the Interest due on Bonds & other Securities & all Monies due  
on Funds Payable into the said Office, and will Pass with the follow-  
ing Amendment instead of the Words, the first day of May, in the  
7.<sup>th</sup> line of the first Page put, the first day of February, Sent to the  
Lower house by Cof Hammond

Mess<sup>rs</sup> Hammond & Carroll from the Lower house Acquaints his  
Excellency that their house has no business before them

Colonel Plater is Sent to the Lower house to acquaint the Speaker p. 529  
that his Excellency requires his immediate Attendance with the  
Lower house in the Upper house to See the Law Passed both Houses  
this Session Receive the assent

The Lower house attend & by their Speaker Present to his Excel-  
lency the following Bill viz<sup>t</sup>

An Act for taking & detaining able bodied Men for his Majestys  
Service

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December 24

Which his Excellency passed into a Law in the usual form by Sealing it with the Right honourable the Lord Proprietary his Great Seal at Arms and Subscribing it on behalf of the Right honourable the Lord Proprietary of this Province I will this be a Law

After which his Excellency was pleased to conclude this Session with the following Speech

Gentlemen of the Upper & Lower houses of Assembly.

As I want words to Express, I must leave it to you to imagine, how Great must be my Surprize & Concern at being requested to put an End to this Session, before you have in the least Degree Satisfied the Expectations that your Several Addresses presented Soon after the opening thereof, had raised in me, and I presume, in every one who might have had an opportunity of Seeing them: However as I am unwilling to detain you a Moment against your Inclinations I have thought fit with the Advice of his Lordships Council of State to Prorogue to the 15.<sup>th</sup> day of January next Hoping that in that time you will endeavour to convince your Constituents of the Necessity of their Permitting you to Contribute without any further Hesitation to prevent the Success of the fatal Scheme which our Common Enemy is now Preparing to put in Execution; Wherefore you are to take Notice you are Prorogued to the said 15<sup>th</sup> day of January next accordingly.

Thus Ends this Session of Assembly begun & held at the City of Annapolis on Thursday the 12<sup>th</sup> day of December and Ending on Tuesday the 24<sup>th</sup> day of the same Month in the 20<sup>th</sup> year of his Majestys Reign and in the 4<sup>th</sup> year of his Lordships Dominion Annoq Domini 1754

# PROCEEDINGS

## OF THE

### LOWER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis, on Thursday the 12th Day of December, in the Year of our Lord 1754, and in the Fourth Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. (His Excellency Horatio Sharpe, Esq; being Governor,) the following Delegates appeared in the Lower House of Assembly,

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[The Honourable Henry Hooper, Esq., Speaker]

For St. Mary's County,

Mr. Jeremiah Chase,  
Mr. Thomas Reeder,  
Mr. James Mills,  
Mr. William Hicks.

For Dorchester County,

Colo. Henry Hooper,  
Major Henry Travers  
Mr. Joseph Cox Gray,  
Mr. Charles Goldsborough.

For Kent County,

Mr. Richard Gresham,  
Capt. Alex. Williamson,  
Mr. Hugh Wallis,  
Mr. William Hynson.

For Baltimore County,

Mr. Lloyd Buchanan,  
Mr. Walter Tolley.

For Cæcil County,

Mr. Nicholas Hyland,  
Mr. Michael Earle,  
Mr. Henry Baker,  
Mr. Henry Ward.

For Anne-Arundel County,

Doct.<sup>r</sup> Charles Carroll,  
Major Henry Hall,  
Capt. John Gassaway.

For Prince George's County,

Capt. John Addison  
Mr. William Murdock,  
Mr. George Fraser,  
Mr. John Hawkins, junr.

For Calvert County,

Mr. James John Mackall,  
Mr. Benjamin Mackall,  
Mr. Thomas Reynolds,  
Colo. William Fitzhugh.

For the City of Annapolis,

Mr. Stephen Bordley,  
Mr. Walter Dulany.

For Charles County,

Mr. Bayne Smallwood,  
Mr. John Stoddert,  
Capt. John Jordan,  
Mr. Henry Moore.

For Queen-Anne's County,

Mr. Robert Lloyd,  
Mr. Edward Tilghman,  
Mr. Henry Casson,  
Mr. John Bracco

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For Somerset County,  
Colo. Robert Jenckins Henry,  
Mr. John Handy,  
Mr. John Dennis, senr.

For Worcester County,  
Colo. John Scarborough,  
Capt. John Evans,  
Colo. John Henry,  
Mr. John Dennis, junr.

For Talbot County,  
Mr. John Goldsborough,  
Mr. Matthew Tilghman,  
Mr. Pollard Edmondson,  
Mr. James Edge.

For Frederick County,  
Mr. Henry Wright Crabb,  
Mr. Joseph Chapline,  
Mr. Josiah Beall,  
Mr. Edward Sprigg

A sufficient Number of Delegates to compose a Lower House of Assembly being convened at the Stadt-House, Mr. William Murdock, a Delegate returned to serve in this Assembly for Prince-George's County, and Mr. Robert Lloyd, a Delegate returned for Queen-Anne's County, attended on his Excellency the Governor to acquaint him therewith.

George Plater, and Richard Lee, Esqrs. of the Upper House, and Mr. John Ross, Clerk of the Council, came into the Stadt-House, in whose Presence the aforesaid Delegates took the several Oaths to the Government required by Law, signed the Oath of Abjuration, repeated and signed the Test.

p. 2 Benedict Calvert, Esq; from the Upper House, acquaints the Members of this House, that the Governor requires their Attendance in the Upper House.

The Members of the Lower House went to the Upper House: His Excellency required them to return to the Lower House and choose a Speaker: They returned, and unanimously made Choice of Col. Henry Hooper, a Delegate for Dorchester County, to be their Speaker, and placed him in the Chair.

Col. Robert Jenckins Henry and Mr. Benjamin Mackall are sent to acquaint his Excellency, that this House hath made Choice of a Speaker.

Col. Benjamin Tasker from the Upper House, acquaints the Members of this House, that the Governor requires their Attendance in the Upper House to present their Speaker.

The Members of the Lower House went to the Upper House, and presented to the Governor, Col. Henry Hooper as their Speaker; his Excellency gave his Approbation of their Choice, and then made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

As the late Transactions of the French on this Continent, and the fatal Consequences that must inevitably attend their Execution of the Scheme they have projected against us, have been so often des-



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canted on, in the most public Manner, since the same unhappy Cause that calls us together at this disagreeable Season, first obliged me, after my Arrival, to desire an extraordinary Meeting of the several Branches of this Legislature; I presume there is little Occasion for me, at this Time, to repeat the several Arguments which the present Posture of Affairs must suggest to you, as sufficient Motives to prompt you to exert yourselves at this important Juncture. You are not, I conceive, now to learn, that in Pursuance of a Plan to secure a Communication between their Northern and Southern Settlements, and, in Time, render themselves Masters of all the Continent, from Cape-Breton to the Gulf of Mexico, that restless and ambitious People have proceeded to build several Forts on his Majesty's Lands; one especially at a small Distance from the Frontiers of this Province, and have Garrisoned it with a large Body of Regular Troops; that they already extend their Claim to Lands far within the Limits of this Province, and are making great Preparations for enlarging their Conquests; that not satisfied with cutting us off from all Intercourse with the Indian Natives, with whom we have hitherto, it seems, presumed to carry on a Contraband Trade, they have employed Numbers of those Natives to depopulate and distress these Colonies, and have also themselves, committed every Kind of Hostility on our Fellow-Subjects, who have been unfortunate enough to be exposed to their Cruelty and Insults.

These, Gentlemen are Circumstances that present to our View no very agreeable Prospect, and I doubt not but the Repetition of them, makes every One of us burn with Resentment, and urges us to take the most speedy and effectual Measures, to prevent the dreadful Calamities that our Posterities must otherwise feel, from the Vicinity of such a People.

What Resolutions the Virginians have hereupon taken, I apprehend you are no Strangers to; and I am encouraged to hope, that the other neighbouring Governments, whom I have solicited, will shew an equal Zeal, and emulate their Conduct. That your Resolutions will confirm the Opinion his Majesty has been pleased to entertain of you, and merit the Confidence that He has thought fit to repose in the Affections and Loyalty of His Maryland Subjects, by distinguishing their Governor with the Honour of Commanding the combined Forces that shall be assembled to oppose the Enemy's hostile Attempts, I entertain the most sanguine Hopes; and that you will generously concur with the neighbouring Provinces, to enable me to answer his Majesty's Expectations and Royal Intention, in honouring me with such a Commission. A Commission, also, from his Lordship the Lord Proprietary, whereby his Lordship, from an earnest Desire and Solicitude, to contribute to the Restoration of Peace and Tranquility to this, and the other British Colonies, has been pleased to dispense with my temporary Absence from his Govern- p. 3

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ment, that I may pay the most ready and punctual Obedience to his Majesty's Commands, shall, with the Royal Commission, be laid before you: And I will assure you, that the View of being thereby enabled to contribute, in a more particular Manner, than I could have otherwise done, to the Security and future Quiet of this Province, makes me receive these Testimonies of his Majesty's and his Lordship's Favour with infinite Pleasure, and enter on the Service with the greatest Alacrity. And, Gentlemen, as my future Reputation will, in a great Measure, depend on the Issue of this Meeting, I cannot help again repeating my Hopes, that your Resolves will be such, as must demand my Acknowledgments, and make it my future constant Study to express my Gratitude, by my Endeavours to promote, to the utmost of my Ability, the Welfare and Prosperity of the People you are here to represent.

Mr. Speaker (with the rest of the Members) returned to the Lower House, and re-assumed the Chair.

The House proceeded to choose a Clerk, and made Choice of Mr. Michael Macnemara. Ordered, That Mr. Robert Lloyd and Col. John Henry do acquaint his Excellency with the Choice this House hath made of a Clerk, and to desire his Approbation thereof: They return, and acquaint Mr. Speaker, they delivered the Message, and that his Excellency was pleased to approve the Choice. Ordered, That Mr. Robert Lloyd and Col. John Henry do go with Mr. Macnemara, to the Upper House, to see him qualified as Clerk of this House: They return, and acquaint Mr. Speaker they saw him take the several Oaths to the Government, sign the Oath of Abjuration, repeat and sign the Test, and take the following Oath of Office; viz.

You Michael Macnemara do swear, that, as Clerk of the Lower House of Assembly, you shall true Entries make of all such Matters and Things, as by the Honourable Speaker for the Time being, and that House, shall be to you directed; the Secrets of the said House you shall not divulge, to the Prejudice of the House, or any Member thereof; but shall in all Things, as Clerk to the said House, well and truly demean yourself according to the best of your Knowledge. So help you God.

- P. 4 Ordered, That his Excellency's Speech (a Copy of which having been delivered to Mr. Speaker) be read, which was accordingly, and ordered to lie on the Table.

His Excellency Communicated to Mr Speaker his Majestys Commission Appointing him Lieutenant Colonel of foot in the West Indies and a Letter from Sir Thomas Robinson one of his Majesty's principal Secretary's of State and the Right Honourable the Lord proprietarys Commission and Leave of Absence to his Excellency from this Government for his Majesty's Service, and Mr Speaker having Communicated the same to the House Ordered that the said Commissions be Read which were Accordingly,

Order<sup>d</sup>: that the said Commissions and Letters be Entered on the Journal of this House which follow in these words, to wit/.

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George R./George the second by the Grace of God King of Great Britain France and Ireland Defender of the faith &c.<sup>a</sup>  
[SEAL] To our Trusty and well beloved Horatio Sharpe Esq.<sup>r</sup>  
 Greetings, Reposing Especial Trust and Confidence, in your Loyalty Courage and Experience in Military Affairs do by these presents Constitute and appoint you to be Lieutenant Colonel of Foot in the West Indies and do give and grant unto you full power and Authority to take your Rank as Lieutenant Colonel of Foot in the west Indies Only and you are therefore to take upon you the said Charge and Command of Lieutenant Colonel of foot as aforesaid and Carefully and Diligently to Discharge the Duty thereof by doing and performing all and all manner of things thereunto belonging and we do hereby Command all Officers and Soldiers to Obey you as Lieutenant Collonel of foot in the west Indies and you are to observe and follow such Orders And Directions from time to time as you shall Receive from us Our Captain General of our forces or any Other your Superior Officer According to the Rules and Discipline of War in pursuance of the Trust we hereby Repose in you. Given at Our Court at Kensington the fifth Day of July 1754 in the Twenty Eighth year of Our Reign.

By his Majestys Command,  
T Robinson.

Entered with the  
Secretary at War  
Edw<sup>d</sup> Lloyd

Horatio Sharpe Esq<sup>r</sup> Lieutenant Colonel of Foot in the West Indies.

Sir

Whitehall 5.<sup>th</sup> July 1754.

It is with a particular satisfaction that I herewith send you his Majesty's Commission Appointing you to be Lieutenant Colonel of foot in America with an Allowance of 30.<sup>s</sup> p Day to be paid you by M.<sup>r</sup> Dinwiddie Lieutenant Governor of Virginia from the Day that you leave your Government to that of your Return I am likewise to Signify to you the Kings Orders that you should take upon you the Command of the Combind Forces that shall be Assembled in America to Oppose the Hostile Attempts Committed by the French in Different parts of his Majesty's Dominion and I am farther to Acquaint you with the Kings Pleasure that you should Repair as soon as may be after the Receipt of this letter to Virginia in Order to Concert with Lieutenant Governor Dinwiddie the best measures to be taken for the Execution of these his Majesty's Directions and as you will find that Gentleman not only provided with Instructions from home but likewise with a Considerable sum of Money to be Applied to

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the Publick Service upon this Occasion you will be best able to Settle with him a proper plan of Operation in the Execution whereof I most Heartily wish you all Possible Success and I do not Doubt but that you will Carry on his Majesty's Measures in a manner Agreeable to his Royal Expectations I am

Sir your most Obedient  
Humble Servant  
T Robinson.

F Baltimore. Frederick Absolute Lord & proprietor of the province of Maryland and Avalon in America and Barron of Baltemore in the Kingdom of Ireland To Our Trusty and well beloved Horatio Sharpe Esq.<sup>r</sup> Lieutenant General and Chief Governor of our said province of Maryland Greeting Whereas his Majesty from the Great Confidence he has in your Military Skill and Abilities has thought it for the publick Service to Constitute and Appoint you Lieutenant Colonel of the forces Intended to be sent Against the Forces who have Invaded his Majestys Dominions in the Province of Virginia and other parts of America and I being Desirous to further such his Majestys Royal Intention and to do all in my power to Oppose and Repel the Common Enemy and to Express the Great Satisfaction it gives me that his Majesty has done me the Honour to shew this his Repeated Approbation of my Choice of you for my Governor of my Provinces of Maryland by Granting you his Own Immediate Commission as an Officer fit and proper to be employed in so Great and National an Undertaking and out of the Regard I have for you and from a Sincere Inclination to promote your welfare I do hereby Signify my Desire that you do forthwith proceed to pay all due and punctual Obedience to his Majestys Royal Commission According to the Tenor and true Intent and Meaning thereof and in Case his Majestys Service in Consequence of the said Commission shall Require your Temporary Absence from my said Province I do further Declare my free Leave and Assent thereto and that such your Absence from my said Province in Obedience to his Majestys said Commission shall not in any Respect Invalidate your Commission as my Lieutenant Governor of Maryland Provided that you Return to my said Province to Resume the Government thereof when and as often as his Majestys Service shall permit you so to do And it is my further will and pleasure that during your absence out of the province upon this great necessary and National Service the powers of Government Over my province of Maryland be exercised by the president or Senior Member for the Time being of my Council whom You are to Authorize and Commissionate for that purpose when and as the Same shall become necessary agreeable to the Instructions already received or which shall hereafter be received from me And I do hereby Require you forthwith to Signify or Cause to be signified to the Council of State and to both Houses of Assembly within my

said province of Maryand as well the Royal Commission with which his Majesty has been most Graciously Pleas'd to invest you upon this Important Service as this my Leave of Absence hereby Granted to you from my said Province and in a more Particular Mañer I do Require and enjoin you that you do in the most serious And Earnest Mañer Recommend it to the Good People of my said Province that they do in furtherance of his Majestys Royal Intentions and in Manifestation of their own Just Abhorrence and Resentment at the unprovoked Insults and attempts of the Invaders most Heartily Co-operate with his Majesty and their Neighbouring Governments by Granting such Effectual Supplys & Prosecuting such Vigorous Measures Against the Common Enemy as shall Demonstrate to all future Ages the Distinguished zeal and Loyalty of this my Province of Maryland to their Sovereign and the Cause of their Country Given at London under our hand and Greater Seal at Arms this sixth Day of July in the twenty Eighth year of the Reign of Our Sovereign Lord King George the second and in the fourth year of Our dominion over the said Province Annoque Domini One Thousand seven hundred and fifty four.

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By his Lordships Command [SEAL]  
Cæcil.<sup>s</sup> Calvert Secretary

The House appointed Mr. George Johnson Serjeant at Arms, and Richard Goldsmith Door-keeper, to the Lower House of Assembly: And, Ordered, That Col. Robert Jenckins Henry do administer to them the several Oaths to the Government, and Oath of Office.

Col. Henry acquaints Mr. Speaker, that George Johnson and Richard Goldsmith did take, before him, the several Oaths to the Government required by Law, signed the Oath of Abjuration and repeated and signed the Test: and, that George Johnson took the following Oath of Office, viz.

You George Johnson do swear, That you will faithfully, diligently and honestly Discharge the Office of Serjeant at Arms, to the Lower House of Assembly, and that you shall not disclose or reveal the Secrets thereof.

So help you God.

And, that Richard Goldsmith took the following Oath of Office, viz.

You Richard Goldsmith do swear, That you will faithfully, diligently and honestly Discharge the Office of Door-keeper, to the Lower House of Assembly, and that you shall not disclose or reveal the Secrets thereof.

So help you God.

Mr. Philip Hammond, a Delegate returned for Anne-Arundel County, appeared. Ordered, That Dr. Carroll and Major Hall do

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go with him to the Upper House to see him qualified: They return, and acquaint Mr. Speaker, they saw him qualified in the usual Manner, by taking the Oaths to the Government required by Law, signing the Oath of Abjuration, repeating and signing the Test. The Gentleman took his Seat in the House.

The House appointed Mr. Stoddert, Mr. Smallwood, Mr. John Goldsborough, Mr. Hyland, Mr. M. Tilghman, and Mr. Williamson, a Committee of Elections and Privileges.

Doctor Carroll, Capt. Addison, Mr. Murdock, Mr. J. Goldsborough, Mr. Stoddert, Mr. Smallwood, and Col. Fitzhugh, a Committee of Aggrievances and Courts of Justice.

Doctor Carroll, Col. R. Jenkins Henry, Mr. M. Tilghman, Mr. C. Goldsborough, Major Hall, Mr. Bordley, Mr. E. Tilghman, Mr. Chase, Mr. Lloyd, and Mr. Hammond, a Committee of Laws.

Mr. Murdock, Mr. J. Goldsborough, Mr. Stoddert, Mr. Edge, and Mr. Hawkins, a Committee of Accounts.

Capt. Addison, Mr. J. J. Mackall, Capt. Crabb, Mr. Fraser, and Capt. Jordan, a Committee to enquire into the State and Condition of the Arms and Ammunition, and Accounts relating thereto.

Mr. Dulany, Mr. Earle, Col. John Henry, Mr. Edge, Mr. Beall, and Mr. J. Handy, a Committee to inspect the Accounts and Proceedings of the Commissioners, or Trustees, for emitting Bills of Credit established by Act of Assembly.

Resolved, That the Hours of Sitting this Session, be from Nine of the Clock till Twelve at Noon, and from Two of the Clock Afternoon until Five.

Ordered, That Mr. Dulany do acquaint the Reverend Mr. MacPherson, that he is desired, by this House, to read Divine Service, at Seven in the Morning, and at Five in the Afternoon, during this Session.

The House adjourns till 2 of the Clock Afternoon.

#### Post-Meridiem.

The House met according to Adjournment, &c.

On motion, His Excellency's Speech was again read: Ordered, That the Committee of Laws do prepare an Address to his Excellency thereon.

Doctor Carroll, from the Committee of Grievances and Courts of Justice, acquaints Mr. Speaker, that Committee had chose William Wilkins, Clerk; the House approved the Choice, and ordered that he be qualified in the usual Manner.

Mr. Hammond, from the Committee of Laws, acquaints Mr. Speaker, that Committee had chose Thomas Johnson, Clerk; the House approved the Choice, and ordered that he be qualified in the usual Manner.

A Petition of Arthur Lee, and John Hanson, of Charles County, L. H. J.  
Gentlemen, complaining of an undue Election had for the said Liber No. 48  
County, at the last Election, was preferred to this House; on reading December 12  
the said Petition,

Ordered, That an Hearing be had thereon, at the Bar of this House, on Tuesday the 17th Instant, and that the Sheriff of Charles County do attend this House on the said 17th Day, and bring with him the original Poll taken at the said Election.

Ordered, That the Petitioners Arthur Lee, and John Hanson, Gentlemen, and all Parties concerned, on Application to the Clerk of this House, have Summons for all such Witnesses as they want, to give Testimony in Relation to the Facts set forth in the said Petition.

The House adjourns till the Morrow Morning at 9 of the Clock.

Friday, December 13, 1754.

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The House met according to Adjournment: The Members were called and all appeared as Yesterday, except Mr. Edward Tilghman. The Proceedings were read.

Mr. John Paca, a Delegate returned for Baltimore County, appeared in the House.

Ordered, That Mr. Buchanan, and Mr. Tolley, do go with him to the Upper House to see him qualified: They return, and acquaint Mr. Speaker, they saw him take the several Oaths to the Government p. 8  
required by Law, subscribe the Oath of Abjuration, repeat and sign the Test.

The Gentleman took his Seat in the House.

Mr. John Goldsborough, from the Committee of Accounts, acquaints Mr. Speaker, that Committee had chose Mr. Beale Nicholson, Clerk; the House approved the Choice: Ordered, That he be qualified in the usual Manner.

Capt. Addison, from the Committee appointed to inspect the Arms and Ammunition, &c. acquaints Mr. Speaker, that Committee had chose Mr. Benjamin Beall, Clerk; the House approves the Choice: Ordered, That he be qualified in the usual Manner.

Mr. Williamson, from the Committee of Elections and Privileges, acquaints Mr. Speaker, that Committee had chose Mr. William Wilkins, Clerk; the House approves the Choice: Ordered, That he be qualified in the usual Manner.

Ordered, That the following Rules be observed as such during this Session, viz.

1. That no Member of this House shall use any reviling Speeches, or name any Member by his proper Name, otherwise than for Distinction's Sake; but shall rather use some other Signification, as, The Gentleman that spoke last, or the like.

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2. That no Member speak above once at the reading of any Bill or Debate, without License of the Speaker and the House; and if two Persons, or more, shall rise up together, the Speaker shall appoint who shall speak first; and no Member shall interrupt any other, until the Gentleman speaking hath ended.

3. That none shall deliver his Opinion, or speak to any Bill or Debate, unless he shall stand up, and reverently direct his Speech to the Speaker.

4. That every Bill proposed to the House shall be read two several Days before it is sent to the Upper House, and once after, before it be ingrossed, and that between every Reading one Day shall be intermitted; and that in that Time the Bill be laid on the Table, for the Perusal of all the Members; unless, on very urgent Occasions, Mr. Speaker, with the Consent of the House, shall dispense therewith; and then one Bill being read twice at one Sitting, shall be as sufficient as if read several Days, when so entered in the Clerk's Journal.

5. That no Person shall come into the House of Assembly whilst the same is sitting, with Sword or other Weapon, upon Penalty of such Fine as shall be imposed on them by the Speaker, not exceeding five Shillings for any Offence.

6. That if any Member, bound to attend this Assembly, shall be absent at the Hours and Place appointed, after the Number of twelve of the Members, with the Speaker, are met, according to the Order for fitting, shall be fined according to the Discretion of the Speaker, not exceeding Five Shillings for any Offence; unless upon such lawful Excuse as the Speaker shall admit of.

7. All Misdemeanours which shall happen in the House, shall be censured and fined in the House.

8. That no Bill shall be read at any Time during this Session, 'til all the Members in Town be called in; except on some Excuse to be admitted by the Speaker.

p. 10 Resolved, unanimously, That the following be entered on the Journal as the Resolves of this House; viz.

Resolved by the House, That the Members who are appointed as Members of the Committee of Aggrievances, have likewise the Character of a Committee for Courts of Justice; and that That Character, and the Duty of such Committee be annexed to the said Committee of Aggrievances, as a standing Part of their Duty. And that it be an Instruction to the said Committee of Courts of Justice, that they observe the Nature of all the Commissions to the several Courts of Judicature within this Province; and that they especially observe any Alterations that may at any Time happen by accidental Omission, or otherwise, therein; and particularly relating to such Words therein, as require the several Judges and Justices to hear, try, and determine,



according to the Laws, Statutes, Ordinances, and reasonable Customs of England, and of this Province, or to such other Words as have Relation thereto; and that they shall immediately make Report to the House, of any Alteration that shall at any Time happen in such Commission; and likewise to have Regard, as near as may be, to observe wherein they differ from the Forms of the several Sorts of Commissions to the Judges and Justices in England.

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Likewise Resolved, That it be an Instruction to the said Committee, to inspect the Form of the Oaths of Office, that have been, and now are usually taken by the several Magistrates; and that in case the following Clause be not inserted in the said Oath, it be reported to the House; such Clause being agreeable to the Oath taken by the Judges in England, and Resolved to be necessary here; viz.

“To do equal Law and Right to all the King’s Subjects, rich and poor; and not to delay any Person of common Right, for the Letters of the King, the Lord Proprietary, or of any other, or for any other Cause; but if any such Letters come to them, they shall proceed to do the Law, the same Letters notwithstanding.”

And that a Copy of these Resolves be made and given to the said Committee, when they first go out every Sessions; and that making and giving such Copies be the undoubted Duty of the Clerk of this House, and within the Purview of his Oath.

Resolved also, That this Province is not under the Circumstances of a conquered Country; that if it were, the present Christian Inhabitants thereof would be in the Circumstances, not of the Conquered, but of the Conqueror, it being a Colony of the English Nation, encouraged by the Crown to transplant themselves hither, for the Sake of improving and enlarging it’s Dominions; which, by the Blessing of GOD upon their Endeavours, at their own Expence and Labour, has been in great measure obtained: And ’tis unanimously Resolved, that whoever shall advance, that his Majesty’s Subjects, by such their Endeavours and Success, have forfeited any Part of their English Liberties, are not Wellwishers to the Country, and mistake it’s happy Constitution.

Resolved also, That if there be any Pretence of Conquest, it can be only supposed against the Native Indian Infidels; which Supposition cannot be admitted, because the Christian Inhabitants purchased great Part of the Land they at first took up from the Indians, as well as from the Lord Proprietary, and have ever since continued in an amicable Course of Trade with them; except some partial Outrages and Skirmishes, which never amounted to a general War, much less to a general Conquest, the Indians yet enjoying their Rights and Privileges of Treaties and Trade with the English, of whom we yet frequently purchase their Rights of such Lands as we take up, as well as of the Lord Proprietary.

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Resolved further, That this Province hath always hitherto had the Common Law, and such general Statutes of England, as are securitative of the Rights and Liberties of the Subject, and such Acts of Assembly as were made in the Province to suit it's particular Constitution, as the Rule and Standard of it's Government and Judicature; such Statutes and Acts of Assembly being subject to the like Rules of Common Law, or equitable Construction, as are used by the Judges in construing Statutes in England; which happy Rules have, by his Majesty and his Royal Ancestors, and also by his Lordship and his Noble Ancestors, or some of them, been hitherto approved, by having the Commissions of Judicature, to include Directions of that Nature to the several judicial Magistrates; unless those Words have at any Time been casually or carelessly omitted by the Officers in this Province, that drew such Commissions.

Resolved, That the levying and taking the Sum of Twelve Pence Sterling per Hogshead, by the Right Honourable the Lord Proprietary of this Province, on all Tobacco exported out of the same, under Pretence and Colour of the Act of 1704, is not warranted by Law. Resolved, Nemine contradicente, That if the above Act of 1704 had been in Force from the Restoration of the Government by the Crown to the Right Honourable the Lord Proprietary, to this Time; yet, the Sum of Three Pence Sterling, Part of the said Twelve Pence Sterling, agreeable to the plain Construction of the abovementioned Act of 1704, and her late Majesty Queen Anne's Instructions to her Governor here when the said Act was in Force, ought to be applied towards the purchasing of Arms and Ammunition for the Defence of this Province.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

On motion of a Member, Resolved, That the Thanks of this House be given to the Reverend Mr. James Sterling, for his Sermon preached this Day before his Excellency the Governor and the Members of the Upper and Lower Houses of Assembly.

Ordered, That Col. Fitzhugh, Mr. Buchanan, Col. John Henry, Mr. Hicks, Mr. Casson, and Capt. Williamson, do wait upon him and return him Thanks, on Behalf of the House, and acquaint him, that he is requested, by this House, to allow the same to be printed.

The House adjourns till the Morrow Morning at 9 of the Clock.

December 14

Saturday, December 14, 1754.

The House met according to Adjournment, &c. all appeared as Yesterday, &c., The Proceedings were read.

The following Certificates of Qualification by the several Clerks of the Committees from this House were Produced to the Clerk of this House and Ordered to be Entered on the Journal which are as follows (Viz<sup>t</sup>)

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I hereby Certify that on this Twelfth Day of December 1754. Personally Appeard before me the Subscriber One of his Lordship's Justices of the peace for Ann Arundell County Thomas Johnson Jun.<sup>r</sup> and took the several Oaths Appointed by Act of Assembly of this Province to be taken to the Government; made Repeated and Subscribed the Oath of Abjuration and Test and also took the following Oath to wit/You Thomas Johnson do swear that as Clerk to the Committee of Laws you shall true Entries make of all such Matters and things as by that Committee for the time being shall be to you Directed the Secrets of the said Committee you shall not Divulge to the Prejudice of the said Committee or any Member thereof but shall in all things as Clerk to the said Committee well and truly Demean yourself According to the Best of your Knowledge so help you God p. 12

Certified by Richard Dorsey.

I hereby Certify that on this Twelfth Day of December 1754 Personally Appeared before me the Subscriber one of his Lordships Justices of the peace for Ann Arundell County William Wilkins and took the several Oaths Appointed by Act of Assembly of this Province to be taken to the Government made Repeated and Subscribed the Oath of Abjuration and Test and Also took the following Oath (to wit) you William Wilkins do swear that as Clerk to the Committee of Grievances and Courts of Justice shall true Entries make of all such Matters and Things as by that Committee for the time being shall be to you Directed the Secrets of the said Committee you shall not Disclose to the Prejudice of the said Committee or any of them but shall in all things as Clerk to the said Committee well and truly Demean yourself According to the Best of your knowledge so help you God.

Certified by Richard Dorsey

I hereby Certify that on this Thirteenth Day December 1754 Personally appeared before me the Subscriber one of his Lordship's Justices of the Peace for Ann Arundell County Beale Nicholson and took the several Oaths Appointed by Act of Assembly of this Province to be taken to the Government made Repeated and Subscribed the Oath of Abjuration and Test and also took the following Oath to wit/You Beale Nicholson do Swear That as Clerk to the Committee of Accounts you shall true Entries make of all such matters & things as by that Committee for the time being shall be to you directed the secrets of the said Committee you shall not divulge to the prejudice of the said Committee or any Member thereof, but

L. H. J. shall in all things as Clerk to the said Committee well and truly  
 Liber No. 48 Demean yourself according to the best of your Knowledge so help  
 December 14 you God

Certified by Tho.<sup>s</sup> Jennings.

I hereby Certify that on this Thirteenth Day of December 1754. personally appeared before me the Subscriber one of his Lordship's Justices of the Peace for Ann Arundell County Benjamin Beale & took the several Oaths Appointed by Act of Assembly of this Province to be taken to the Government made Repeated and Subscribed the Oath of Abjuration and Test and also took the following Oath to wit You Benjamin Beale do Swear that As Clerk to the Committee of arms and Amunition you shall true Entries make of all such matters and things as by that Committee for the time being shall be to you Directed the secrets of the said Committee you shall not Divulge to the prejudice of the said Committee or any Member thereof but shall in all things as Clerk to the said committee well and truly Demean yourself according to the best of your Knowledge.

Certified by Tho.<sup>s</sup> Jennings

p. 13 I hereby Certify that on this Thirteenth Day of December 1754 personally Appear'd before me the Subscriber/William Wilkins and took the several Oaths Appointed by Act of Assembly of this Province to be taken to the Government made Repeated and Subscribed the test and Oath of Abjuration, and also Took the following Oath to witt You William Wilkins do swear that as Clerk to the Committee of Elections and Privileges shall true Entries make of all such matters and things as by that Committee for the time being shall be to you Directed the secrets of the said Committee you shall not Disclose to the Prejudice of the said Committee or any of them but shall in all things as Clerk of the said Committee well and truly Demean your self According to the best of your Knowledge so help you God

Tho.<sup>s</sup> Jennings

Certified by me the Day and  
 year Above said as one of  
 his Lordships Justices of  
 the Peace for Ann Arundell County

Col. Fitzhugh acquaints Mr. Speaker, That he with the other Gentlemen appointed by this House to return the Reverend Mr. Sterling Thanks for the Sermon preached Yesterday, before his Excellency the Governor, and the Honourable Members of the Upper and Lower Houses of Assembly,) in Obedience to the Order of the House, did wait upon Mr. Sterling, and returned him Thanks accordingly, and requested that he would allow the Sermon to be printed; and in Answer thereto, that Gentleman expressed his grateful Sense

of the Honour this House had done him, and signified his Consent to have the Sermon printed.

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Mr. William Govane, a Delegate returned to serve for Baltimore County, appeared in the House. Ordered, That Mr. Paca, and Mr. Tolley, do go with him, to the Upper House, to see him qualified: They return, and acquaint Mr. Speaker, they saw him take the several Oaths to the Government required by Law, subscribe the Oath of Abjuration, repeat and sign the Test. The Gentleman took his Seat in the House.

Mr. Hammond, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency, on his Speech, which was read, approved, and ordered to be ingrossed.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

Mr. Hammond, from the Committee of Laws, delivers to Mr. Speaker the following Address to his Excellency, ingrossed; viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, beg Leave to return your Excellency our unfeigned Thanks for your affectionate Speech at the Opening of this Session; and readily confess that the ambitious Designs of the French, and the dangerous Consequences from the carrying them into Execution, not only to ourselves, but to all the rest of his Majesty's Dominions in America, are too obvious to need any Repetition of Arguments, that might be urged for the Demonstration of them.

These Designs, so general in their Nature, and destructive in their Consequences, cannot but raise a just and suitable Indignation and Resentment in the Breast of every Man amongst us, who has any Regard either for his own Liberty and Property, or those of his Posterity. And we do assure your Excellency, that we will, with the utmost Dispatch, proceed, so far as our Circumstances will admit, in Concurrence with our neighbouring Governments, in such Measures as shall be most effectual to repel the ambitious and insolent Attempts of our natural Enemies the French, to shew our high and just Esteem of his Majesty's good Opinion and Confidence in us, and to these Ends, according to our Abilities, to enable your Excellency to execute that important Trust reposed in you by his Majesty's Commission, which you have been pleased to lay before us, and upon which we beg your Acceptance of our very hearty Congratulations.

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We receive with great Pleasure, that Mark of his Lordship's Regard to his Majesty's American Dominions in general, and to this Province in particular, manifested by his dispensing with your temporary Absence from this your Government; our Concern for the Necessity of which, is only alleviated by the great Hopes of a full Execution of the Royal Commands, and the greater Security to his loyal tho' remote Subjects, from your Excellency's Conduct, personal Resolution, and Vigour.

The earnest and tender Regard your Excellency expresses for your Reputation in this important Service, affords us the greatest Satisfaction, as it is the surest Indication of real Merit, and we hope the Issue of our Resolves will meet your Approbation.

Your past Conduct persuades us of your good Intentions for the future, and gives us the strongest Assurance of your utmost Endeavours to promote the general Happiness and Prosperity of our Constituents.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. R. Jenckins Henry, and Mr. Bordley, do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desire to know when, and where, he will please to receive it: They return and acquaint Mr. Speaker, that the Governor was pleased to signify he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Hammond, and Twelve more, do present the Address.

On motion, That the Subject Matter contained in his Excellency's Speech be taken into Consideration on Monday next, at two of the Clock Afternoon,

Resolved, That this House will take the same into Consideration on Monday next, at the Call of the House Afternoon.

On motion, That a Bill be brought in, For taking and detaining able-bodied Men for his Majesty's Service; Leave is given:

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

p. 15 On motion, That a Bill be brought in, For the more effectual Discovery of Persons disaffected to his Majesty's Royal Person and Government, within this Province; Leave is given:

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Ordered, That Mr. Jonas Green do print the Sermon preached at St. Anne's Church, in the City of Annapolis, before his Excellency the Governor, and the Members of the Upper and Lower Houses of Assembly, on Friday the 13th Day of December Instant,

by the Reverend Mr. James Sterling, and that he be paid by the Public for 300 Copies; five of which to be delivered to his Excellency the Governor, four to each Member of the Upper House, four to each Member of the Lower House, to be distributed in the respective Counties, and the Residue to the Reverend Mr. Sterling.

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Mr. Edward Tilghman appeared in the House.

The House adjourns till Monday Morning at 9 of the Clock.

Monday, December 16, 1754.

December 16

The House met according to Adjournment, &c.

A Petition of John Tillotson, and Thomas Harris, of Queen Anne's County, Gentlemen, complaining of an undue Election (at the last general Election in Queen Anne's County), in Favour of John Bracco, Gentleman, who was returned, by the Sheriff of the said County, as a Delegate thereof :

On reading the said Petition, Ordered, That the same be heard at the Bar of this House on Friday Morning next, being the 20th Instant.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

His Excellency communicated to Mr. Speaker the following Answer, to the Address of this House, viz.

Gentlemen of the Lower House of Assembly,

The Patriot Concern you express for the Safety of your Country, and the becoming and laudable Resentment you declare yourselves disposed to shew, at the hostile and ambitious Attempts of it's Enemies, must reflect Honour on yourselves, and endear you to your Constituents: These your Professions, as well as that Part of your most obliging Address, where you are pleased to express so kind and affectionate a Regard for myself, and to testify, by your Approbation of my past Conduct, that I have not been wanting in my Endeavours to discharge my Duty, since I have had the Honour of presiding over you, give me inexpressible Satisfaction and Pleasure: and you will, Gentlemen, be pleased to think, that I shall joyfully embrace every Opportunity of confirming the favourable Opinion you are inclined to conceive of my future Inclinations and Intentions.

Hor.<sup>o</sup> Sharpe.

The Order of the Day being read, on Motion, the House Resolved into a Committee of the whole House, to take into Consideration the Subject Matter contained in his Excellency's Speech, and of Ways and Means whereby to answer the same.

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Mr. Speaker left the Chair.

Mr. Speaker re-assumed the Chair.

Mr. Lloyd, Chairman, from the Committee of the whole House, delivers to Mr. Speaker the following Report;

By a Committee of the whole House, December 16, 1754.

That the Committee had proceeded to take into Consideration the Matter referred to them by the Honourable House, but not having had Time to compleat the same, prays Leave of the House, that the said Committee may sit again, to proceed further on the said Affair.

On Consideration of the said Report, Resolved, That this House will, on the morrow Morning, Resolve into a Committee of the whole House, to consider further on the Subject Matter contained in his Excellency's Speech, and of Ways and Means whereby to answer the same.

The House adjourns till the Morrow Morning at 9 of the Clock.

December 17

Tuesday, December 17, 1754.

The House met according to Adjournment, &c.

In Pursuance of the Resolve of Yesterday, The House Resolved into a Committee of the whole House, to consider further on the Subject Matter contained in his Excellency's Speech, and of Ways and Means whereby to answer the same.

Mr. Speaker left the Chair.

Mr. Speaker re-assumed the Chair.

Mr. Lloyd, from the Committee of the whole House, delivers to Mr. Speaker the following Report;

By the Committee of the whole House, December 17, 1754.

Resolved, That this Committee return to the House, and that Mr. Chairman Report, That the Committee had further proceeded to take under their Consideration the Matter referred to them by the Honourable House, but not having had Time to compleat the same, prays Leave of the House to sit again, to consider further of the said Affair.

On Consideration of the said Report, Resolved, That this House will, in the Afternoon, Resolve into a Committee of the whole House, to consider further on the Subject Matter contained in his Excellency's Speech, and of Ways and Means to answer the same.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

In Pursuance of the Order of this Day, The House Resolved into a Committee of the whole House, to consider further on the Subject



Matter contained in his Excellency's Speech, and of Ways and Means to answer the same.

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Mr. Speaker left the Chair.

Mr. Speaker re-assumed the Chair.

Mr. Robert Lloyd, Chairman, from the Committee of the whole House, delivers to Mr. Speaker the following Report.

By a Committee of the whole House, December 17, 1754.

That at a Committee of the whole House, the said Committee had taken into Consideration the Subject Matter contained in his Excellency's Speech, and of Ways and Means to answer the same; and, Resolved, That the Sum of 7000 l. Current Money be raised for his Majesty's Service.

Resolved also, That the said Sum of 7000 l. shall be raised by an Emission of Notes of Credit, for his Majesty's Service.

And Resolved, That the Funds for sinking the 7000 l. be established by the Duties to be raised as expressed in the Act, For his Majesty's Service, made in July Session, 1754; which said Act to be continued (after all the Matters and Things therein contained shall be fully answered and complied with), until the Sum of 7000 l. hereby proposed and intended to be emitted, shall be cancelled, vacated, and sunk; and directed the Chairman to report the same to the House. p. 17

On reading and considering the said Report, the House concurs therewith.

On motion, That a Bill be brought in, For raising the Sum of 7000 l. for his Majesty's Service, by an Emission of Notes of Credit; Leave is given:

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Ordered, That the Petition of Arthur Lee, and John Hanson, of Charles County, Gentlemen, which, by Order of the House, was appointed for an Hearing this Day), be heard at the Bar of the House on the Morrow Morning.

The House adjourns until the Morrow Morning.

Wednesday, December 18, 1754.

December 18

The House met according to Adjournment, &c.

The Order of the Day being read, The House proceeded to take into Consideration the Petition of Arthur Lee, and John Hanson, of Charles County, Gentlemen, relating to the Complaint of the Petitioners, of an undue Election had for the said County, at the last Election, and after the Examination of Witnesses for and against the Facts contained therein,

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The same was referred for Consideration Afternoon.

Mr. Henry Waggaman, a Delegate returned for Somerset County, appeared in the House.

Ordered, That Mr. Handy, and Mr. J. Dennis, senr. do go with him to the Upper House to see him qualified: They return, and acquaint Mr. Speaker, they saw him take the several Oaths to the Government required by Law, subscribe the Oath of Abjuration, repeat and sign the Test.

The Gentleman took his Seat in the House.

The House adjourns till 2 of the Clock Afternoon.

### Post-Meridiem.

The House met according to Adjournment, &c.

The House again took into Consideration the Petition of Arthur Lee and John Hanson, of Charles County, Gentlemen, and after mature Deliberation thereon, the Question was put, Whether the Election of Delegates for Charles County, at the last Election, is void, or Not? Resolved in the Negative.

### For the Negative,

Chase,	R. J. Henry,	Earle,
Reeder,	Handy,	Bordley,
Mills,	J. Dennis, senr.	Casson,
Hicks,	Waggaman,	Bracco,
Hynson,	J. Goldsborough,	Scarborough,
Hammond,	Travers,	Evans,
Carroll,	Gray,	J. Henry,
B. Mackall,	C. Goldsborough,	J. Dennis, junr.
Fitzhugh,	Buchanan,	Chapline. 27

### For the Affirmative,

Gresham,	Edge,	Fraser,
Williamson,	Paca,	Hawkins,
Wallis,	Govane,	Dulany,
Hall,	Hyland,	Lloyd,
J. J. Mackall,	Baker,	E. Tilghman,
Reynolds,	Ward,	Crabb,
M. Tilghman,	Addison,	Beall.
Edmondson,	Murdock,	23

p. 18 On a full Hearing of the Petition of Arthur Lee, and John Hanson, of Charles County, Gentlemen, complaining of an undue Election of Delegates for the said County, at the last Election, the same is dismissed, and that the sitting Members are duly elected.

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday, December 19, 1754.

L. H. J.  
Liber No. 43  
December 19

The House met according to Adjournment, &c.

Mr. Tolley has Leave of the House to go home.

Ordered, That Mr. John Goldsborough, Mr. Murdock, Capt. Addison, and Mr. Waggaman, do tax the Fees due to the Officers of this House, and to the several Witnesses for their Attendance on the Petition of Arthur Lee, and John Hanson, of Charles County, Gentlemen, and make Report thereof to the House.

Mr. J. Goldsborough, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report :

By the Committee of Elections and Privileges, December 19, 1754.

Your Committee having inspected the Writs directed to the several Sheriffs, and Returns thereon, for electing Deputies and Delegates to serve in this General Assembly ; Do find,

That Messrs. James Mills, Jeremiah Chase, Thomas Reeder, and William Hicks, Delegates of St. Mary's County, are duly returned :

That Messrs. Bayne Smallwood, John Stoddert, John Jordan, and Henry Moore, Delegates of Charles County, are duly returned :

That Messrs. William Fitzhugh, Benjamin Mackall, junr. James John Mackall, and Thomas Reynolds, Delegates of Calvert County, are duly returned :

That Messrs. John Addison, William Murdock, George Fraser, and John Hawkins, junr. Delegates of Prince-George's County, are duly returned :

That Messrs. Henry Hall, Charles Carroll, John Gassaway, and Philip Hammond, Delegates of Anne-Arundel County, are duly returned :

That Messrs. Walter Dulany, and Stephen Bordley, Delegates of the City of Annapolis, are duly returned :

That Messrs. Henry Wright Crabb, Josiah Beall, Edward Sprigg, and Joseph Chapline, Delegates of Frederick County, are duly returned :

That Messrs. William Govane, Walter Tolley, Lloyd Buchanan, and John Paca, Delegates of Baltimore County, are duly returned :

That Messrs. Nicholas Hyland, Michael Earle, Henry Ward, and Henry Baker, Delegates of Cæcil County, are duly returned :

That Messrs. Richard Gresham, Alexander Williamson, Hugh Wallis, and William Hynson, Delegates of Kent County, are duly returned :

That Messrs. Edward Tilghman, Henry Casson, John Bracco, and Robert Lloyd, Delegates of Queen-Anne's County, are duly returned :

That Messrs. Matthew Tilghman, John Goldsborough, Pollard Edmondson, and James Edge, Delegates of Talbot County, are duly returned :

L. H. J.  
Liber No. 48  
December 19

That Messrs. Charles Goldsborough, Henry Travers, Joseph Cox Gray, and Henry Hooper, Delegates of Dorchester County, are duly returned:

That Messrs. Robert Jenkins Henry, John Handy, John Dennis, and Henry Waggaman, Delegates of Somerset County, are duly returned:

That Messrs. John Scarborough, senr., John Henry, John Dennis, junr., and John Evans, Delegates of Worcester County, are duly returned:

Your Committee take Leave to observe, That there appears no Certificate endorsed on the Writs, returned by the Sheriffs of Talbot and Frederick Counties; notwithstanding which, they are of Opinion, that the said Returns are good, but humbly submit the same to the Consideration of the Honourable House.

Signed per Order, William Wilkins, Clerk.

p. 19 On reading and considering the said Report, the House concurs therewith.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem.

The House met according to Adjournment, &c.

The House adjourns until the Morrow Morning at 9 of the Clock.

December 20

Friday, December 20, 1754.

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. Tolley. The Proceedings were read.

The following Message:

By the Lower House of Assembly, December 20, 1754.

May it please your Honours,

This House hath appointed Mr. Dulany, Mr. Earle, Col. John Henry, Mr. Edge, Mr. Beall, and Mr. Handy, a Committee from this House to inspect the Accounts and Proceedings of the Commissioners, for emitting Bills of Credit established by Act of Assembly, and desire your Honours to appoint one or more of the Members of your House to join in the said Committee.

Signed per Order, M. Macnemara. Cl. Lo. Ho.

Was sent to the Upper House, by Mr. Dulany and Col. John Henry.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the following Message:

By the Upper House of Assembly, December 20, 1754.  
Gentlemen,

L. H. J.  
Liber No. 48  
December 20

This House hath appointed Richard Lee, Esq; to join the Members named by your House in a Committee, to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order, J. Ross, Cl. Up. Ho.

In Pursuance of the Order of the Day, the Petition of John Tillotson, and Thomas Harris, of Queen Anne's County, was read.

Ordered, That in Regard the Petitioner John Tillotson appeared, and disavowed his Privy of the said Petition being preferred to this House, and the other Petitioner Thomas Harris having not appeared to prove the Facts therein contained, the said Petition is rejected.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridient.

The House met according to Adjournment, &c.

A Petition of James Richard, of Baltimore County, Gentleman, preferred to this House, relating to a Complaint laid before the Committee of Grievances, by the aforesaid Petitioner, against a certain William Young, Receiver of his Lordship's Quit-Rents for Baltimore County; which, by the said Committee, was, in the Year 1753, reported to the House; was read and ordered to lie on the Table.

Mr. Hammond, from the Committee of Laws, delivers to Mr. Speaker a Bill, entituled, An Act for taking and detaining able-bodied Men for his Majesty's Service; which was read the first Time and ordered to lie on the Table.

The House adjourns till the Morrow Morning at 9 of the Clock.

Saturday, December 21, 1754.

December 21  
p. 20

The House met according to Adjournment, &c. all appeared as Yesterday, except Mr. Hicks, and Col. Fitzhugh.

His Excellency communicated to Mr. Speaker the following Message:

Gentlemen of the Lower House of Assembly,

I take this Opportunity of acquainting you, that the Sum of Five Hundred Pounds, which was granted by the Representatives of this Province in May last, for a Present to the Six Indian Nations, was accordingly presented by the Gentlemen who were commissioned for that Purpose, to as many of those People as were present at the Interview held with them at Albany, by Commissioners from the several British Colonies on the Continent; and I had the Satisfaction to learn, that the Indians, who accepted the Present, expressed their Gratitude in a particular Manner, for the Generosity and Benevo-

L. H. J.  
Liber No. 48  
December 21

lence of their Friends and Brethren in Maryland. How requisite, or rather absolutely necessary, that Interview with those Nations was, at that Time, will appear from a Perusal of the Minutes of the Commissioners Proceedings, a Copy of which I have ordered to be laid before you; and I doubt not but you will be well pleased with the Part which the Gentlemen, who represented this Province, acted therein.

Hor.<sup>o</sup> Sharpe.

Mr. Hammond, from the Committee of Laws, delivers to Mr. Speaker a Bill, entituled, An Act for raising a Supply towards his Majesty's Service; which was read the first Time, and ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

*Post-Meridiem.*

The House met according to Adjournment, &c.

The Bill, entituled, An Act for taking and detaining able-bodied Men for his Majesty's Service; was read the second Time, and will pass: sent to the Upper House by Mr. C. Goldsborough, and Mr. Chase.

The Bill, entituled, An Act for raising a Supply towards his Majesty's Service; was read the second Time, by an especial Order, and will pass and was sent to the Upper House, by Dr. Carroll, and Fourteen more.

The House adjourns till Monday Morning 9 of the Clock.

December 23

Monday, December 23, 1754.

The House met according to Adjournment, &c. all appeared as on Saturday, except Mr. J. Goldsborough, Col. Scarborough, and Capt. Evans.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entituled, An Act for taking and detaining able-bodied Men for his Majesty's Service, indorsed, "By the Upper House of Assembly, December 23, 1754. Read the second Time, and will pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was here read, and passed for ingrossing.

His Excellency's Message, and the Minutes of the Congress held at Albany, in June last, communicated by his Excellency to Mr. Speaker, were read; and, on Motion, that an Address be prepared to his Excellency in Answer to his Message of the 21st Instant: Ordered, That the Committee of Laws do prepare and bring in the same.

Mr. Hammond, from the Committee of Laws, delivers to Mr. L. H. J. Speaker an Address to his Excellency; which was read, approved, Liber No. 48  
December 23 and ordered to be ingrossed.

Mr. Bordley, from the Committee of Laws, delivers to Mr. Speaker an ingrossed Bill, entituled, An Act for taking and detaining p. 21 able-bodied Men for his Majesty's Service; which was read and assented to, and sent to the Upper House by Mr. E. Tilghman and Mr. Govane.

The House adjourns till the Morrow Morning at 9 of the Clock.

Tuesday, December 24, 1754.

December 24

The House met according to Adjournment, &c.

Mr. Matthew Tilghman, from the Committee of Laws, delivers to Mr. Speaker the following Address ingrossed, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

Although we conceive, that many Matters contained in the Minutes of Proceedings of the Commissioners in the late Congress, held at Albany, communicated to this House by your Excellency, with your Message of the 21st Day of December. Instant, are of very great Importance, and much concern the Rights, Liberties, and Properties of the good People of this Province; yet we apprehend they do not require our immediate Attention, and the Business of this Session being, we hope, near a Conclusion, the Inclemency of the Season also strongly inclining us to return to our respective Homes, we have, therefore, referred the Consideration of them to the next Session of Assembly.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Dr. Carroll and Mr. Waggaman do attend his Excellency and acquaint him, that this House hath prepared an Address to be presented to him, and desires to know when, and where, he will please to receive it: They return, and acquaint Mr. Speaker, they delivered the Message, and that his Excellency was pleased to signify that he would be ready to receive the Address immediately, in the Conference Chamber.

Ordered, That Dr. Carroll, and Five more, do Present the Address.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entituled, An Act for raising a Supply towards his Majesty's Service; indorsed, " By the Upper House of Assembly, December 24, 1754. Read the second Time, and will not pass.

Signed per Order, J. Ross, Cl. Up. Ho.

L. H. J.  
Liber No. 48  
December 24

On motion that a Bill be brought in, directing the Commissioners of the Paper Currency Office, to call in the Interest Money due on Bonds and other Securities, and all Monies due on Funds payable into said Office; Leave is given to bring in a Bill accordingly.

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Paper Bill, entitled, An Act for taking and detaining able-bodied Men for his Majesty's Service, indorsed, " By the Upper House of Assembly, December 24, 1754. The ingrossed Bill, whereof this is the Original, is read and assented to.

Signed per Order, J. Ross, Cl. Up. Ho."

Ordered, That no public Business be proceeded on after Twelve o'Clock this Day, during this Session.

p. 22 Mr. Waggaman brings in, and delivers to Mr. Speaker a Bill, entitled, An Act directing the Commissioners of the Paper Currency Office, to call in the Interest due on Bonds and other Securities, and all Monies due on Funds payable into the said Office; which was read the first and second Time, by an especial Order, and will pass; sent to the Upper House by Mr. M. Tilghman and Mr. Chase.

On Motion, the Question was put, Whether the Bill, entitled, An Act for raising a Supply towards his Majesty's Service, shall be printed amongst the Proceedings, or Not? Resolved in the Affirmative.

For the Affirmative,

Chase,	Stoddert,	Ward,
Reeder,	Jordan,	Addison,
Mills,	Moore,	Murdock,
Gresham,	Handy,	Fraser,
Williamson,	Waggaman,	Hawkins,
Wallis,	M. Tilghman,	Dulany,
Hynson,	Edmondson,	Lloyd,
Hammond,	Edge,	E. Tilghman,
Carroll,	Gray,	Bracco,
Hall,	Travers,	J. Henry,
Gassaway,	Paca,	J. Dennis, junr.
J. J. Mackall,	Govane,	Crabb,
B. Mackall,	Hyland,	Chapline,
Reynolds,	Earle,	Beall.
Smallwood,	Baker,	

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For the Negative,

R. Henry,	C. Goldsborough,	S. Bordley	3
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In Pursuance of the foregoing Resolve, the following Bill is inserted, in these Words, viz.



An Act for raising a Supply towards his Majesty's Service.

L. H. J.  
Liber No. 48  
December 24

Whereas the Invasion of the French, and their allied Indians, on his Majesty's Territories, on this Part of the Continent, is but too evident, from the Murders and Cruelties by them committed on divers good Subjects, and carrying others of them into Captivity; beside the Interruption of the Trade, which at all Times heretofore the British Subjects had carried on with the native Indians; and their building Forts and Fortifications on his Majesty's Dominions, on Places where they actually dispossessed the British Subjects, contrary to the Law of Nations, in Time of Peace; and from their Efforts, and Schemes, actually carrying into Execution to command the Continent of North America; Therefore to demonstrate our Duty to his Majesty, and to co-operate with our Fellow Subjects, in repelling these Attempts of our common Enemies, it is prayed that it may be enacted,

And be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Commissioners or Trustees of the Loan-Office, for the Time being, shall, and they are hereby obliged, and directed, to issue out of the said Office, and make current, the Sum of Four Thousand and Fifteen Pounds Six Shillings, now signed in the said Office, and not yet emitted and made current, in such Sums, and at such Time and Times, as his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief of this Province, p. 23 or the Governor or Commander in Chief for the Time being, shall think fit to Order, by Draft, or Drafts, under his Hand, on the Commissioners or Trustees of the Loan-Office, for the Time being, for his Majesty's Service; and the said Commissioners are hereby directed, and obliged, to keep a distinct Account of the Payments of the said Sum of Four Thousand and Fifteen Pounds Six Shillings. And for the more effectual answering the good Intentions of his Majesty's loyal Subjects the General Assembly of Maryland, it is also prayed that it may be further enacted,

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That the said Commissioners or Trustees of the Loan-Office, for the Time being, shall, and they are hereby obliged and directed to pay out of the Bills of Credit now remaining in the Office, or which hereafter shall be repaid or received into the said Office, the Sum of Two Thousand Nine Hundred and Eighty Four Pounds Fourteen Shillings, in Bills of Credit, to compleat the Sum of Seven Thousand Pounds, to the Order, or Orders, of his Excellency Horatio Sharpe, Esq; or the Governor or Commander in Chief for the Time being, within this Province, for his Majesty's Service; and the same Payments shall keep in a distinct Account as paid for his Majesty's Service, by Virtue of this Act.

L. H. J.  
Liber No. 48  
December 24

And for the Sinking and Replacing of the said Sum of Seven Thousand Pounds, hereby directed to be issued and paid, It is hereby further Enacted and Declared, That the Commissioners or Trustees of the Loan-Office, for the Time being, shall, and they are hereby obliged, after the Payment of the Sum of Seven Thousand Pounds as aforesaid, or receiving into the said Office sufficient to answer such Sum, out of such further Sums at shall be repaid, or received, into the said Office, to retain the Sum of Four Thousand and Fifteen Pounds Six Shillings, in Bills of Credit of this Province, in lieu of the aforesaid Four Thousand and Fifteen Pounds Six Shillings, now emitted and not yet circulated. And for the Replacing and Repayment of the Residue of the said Seven Thousand Pounds,

Be it further Enacted, That the several Clauses mentioned and contained in an Act of Assembly, made at a Session of Assembly begun and held at the City of Annapolis, the Seventeenth Day of July, One Thousand Seven Hundred and Fifty Four, relating to the several Duties License Money, Fines, and Forfeitures therein mentioned, and the Recovery thereof, from and after the several Purposes of the said Act are fully compleated and fulfilled, and also, the several Parts of the Act of Assembly in the said Act mentioned to be continued, shall be, and are hereby declared to continue in full Force, until the aforesaid Sum of Two Thousand Nine Hundred and Eighty Four Pounds Fourteen Shillings, the Residue of the aforesaid Seven Thousand Pounds, shall be thereby replaced and satisfied into the said Loan-Office, and until the End of the next Session of Assembly which shall thereafter happen.

And it is also hereby Enacted, That the Commissioners of the Loan-Office, shall, and they are hereby required, and directed immediately, to call in all Interest due on Bonds, and other Securities, in the said Office, and to use and take all lawful Ways and Means for the Receiving and Recovery of the same, as are directed by an Act to prevent Evils arising from the Entering up Judgments upon Bonds, commonly called Judgment Bonds, to direct the Manner of issuing Execution on Loan-Office Bonds, and to regulate certain Fees therein mentioned.

And be it further Enacted, That the Governor or Commander in Chief of this Province, for the Time being, render to the General Assembly of this Province, when required by either Branch of the Legislature, an Account of the Payments and Disbursements made, or to be made, of the Sum of Six Thousand Pounds heretofore, by an Act of Assembly of this Province, entituled, An Act for his Majesty's Service, ordered to be issued and paid for this said Service, and also of the Sum by this Act granted for the same.

p. 24

And whereas a Duty of Two Pence per Gallon is laid upon all Madeira Wine, by the last recited Act, and it appearing to this General Assembly that the Payment thereof is evaded by entering the

same under different Denominations : It is therefore hereby Enacted, That every Person of Persons bringing any Wines whatsoever into this Province, by Land or Water, other than immediately from Great-Britain, shall, for every Gallon of such Wine, pay the Sum of Two Pence Current Money, in the same Manner, and to the same Purposes, as is directed by the said last afore-recited, and this present Act.

L. H. J.  
Liber No. 48  
December 24

And be it further Enacted, That all Bills of Credit arising by Virtue of this Act, for replacing the aforesaid Sum of Two Thousand Nine Hundred and Eighty Four Pounds Fourteen Shillings, over and above such Sum, shall be applied as the General Assembly of this Province, for the Time being, shall direct and appoint.

This Act to continue from and after the End of this Session of Assembly, until the several Purposes therein mentioned shall be fully compleated, and to the End of the next Session of Assembly which shall thereafter happen,

The Indorsements are as follow ; viz.

“ By the Lower House of Assembly, December 21, 1754. Read the first Time, and ordered to lie on the Table.

Signed per Order, M. Macnemara, Cl. Lo. Ho.”

“ By the Lower House of Assembly, December 21, 1754. Read the second Time, by an especial Order, and will pass.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

“ By the Upper House of Assembly, December 21, 1754. Read the first Time and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho.”

“ By the Upper House of Assembly, December 24, 1754. Read the second Time, and will not pass.

Signed per Order, J. Ross, Cl. Up. Ho.”

On Motion, Ordered, That Mr. Jonas Green do immediately print the Bill, intituled, An Act for taking and detaining able-bodied Men for his Majesty's Service, and disperse a sufficient Number forthwith to the several Sheriffs, to be delivered to the respective Magistrates of every County within this Province, with all Expedition.

The House adjourns till 2 of the Clock.

#### Post-Meridiem

The House met according to Adjournment, &c.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill, intituled, An Act directing the Commissioners of the Paper Currency Office, to call in the Interest due on Bonds, and other Securities, and all Monies due on Funds, payable into the said Office.

L. H. J. On reading the Amendment proposed to the said Bill, which was  
 Liber No. 48 thus indorsed, viz.  
 December 24

“ By the Upper House of Assembly, December 24, 1754. Read the first Time, and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho.

“ By the Upper House of Assembly, December 24, 1754. Read the second Time, by especial Order, and will pass, with the following Amendment; instead of the Words, the first Day of May, in the 7th Line of the first Page, put, the first Day of February.

Signed per Order, J. Ross, Cl. Up. Ho.”

p. 25 On reading here the amendments proposed to the said bill this House doth not agree therewith.

Ordered, That Mr. Hammond and Dr. Carroll do acquaint his Excellency, that no Public Business lies before this House to transact.

George Plater, Esq; from the Upper House, acquaints Mr. Speaker, that the Governor requires the Attendance of the Lower House in the Upper House.

Mr. Speaker left the Chair, and (with the rest of the Members of the Lower House) went to the Upper House, and presented to his Excellency the Bill, entituled, An Act for taking and detaining able-bodied Men for his Majesty's Service, which his Excellency passed into a Law, in the usual Manner; and made the following Speech:

Gentlemen of the Upper and Lower Houses of Assembly,

As I want Words to express, I must leave it to you to imagine, how great must be my Surprise and Concern, at being requested to put an End to this Session, before you have, in the least Degree, satisfied the Expectations that your several Addresses, presented soon after the Opening thereof, had raised in me, and I presume, in every one who might have had an Opportunity of seeing them: However, as I am unwilling to detain you a Moment against your Inclinations, I have thought fit, with the Advice of his Lordship's Council of State, to prorogue you to the 15th Day of January next, hoping, that in that Time, you will endeavour to convince your Constituents of the Necessity of their permitting you to contribute, without any further Hesitation, to prevent the Success of the fatal Scheme which our Common Enemy is now preparing, and proceeding to put in Execution: wherefore you are to take Notice you are prorogued to the said 15th Day of January next accordingly.

Thus endeth this Session of Assembly, this Twenty-fourth Day of December, Anno Domini 1754.

Test. M. Macnemara, Cl. Lo. Ho.

## ACT OF THE ASSEMBLY PASSED IN DECEMBER 1754

At a Session of Assembly begun and held at the City of Annapolis the 12<sup>th</sup> Day of December in the fourth year of the Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c<sup>a</sup> Annoq Dom 1754 and Ending the 24<sup>th</sup> Day of the same Month.

Liber H. S.  
No. 1  
p. 165

The following Laws were Enacted and Assented to by his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor.

An Act for taking and detaining able-bodied Men for His Majesty's Service.

Whereas it is thought necessary at this Time, to raise a Body of able Land-men, for his Majesty's Service, against the French and their Allies on this Continent; and whereas it is found by Experience, that although there are Numbers of able-bodied Men in the several Counties of this Province, (whose enlisting into the said Service would not only greatly promote the same, but would also be removing a Burthen and Charge from the honest and industrious Inhabitants thereof) yet that such Persons are too generally averse to engage in such Service:

[Preamble.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful, upon Application of any Officer, or Officers, commissioned or appointed to raise or levy Men for his Majesty's Service, to and for the Justices of the Peace of every County in this Province, or any one or more of them, and they, and every of them, are hereby directed and required, within their several and respective Counties, by Warrant under their or some or one of their Hands and Seals, to command all Sheriffs, Under-Sheriffs, Constables, and others, within their several and respective Counties, to be by the said Justices from Time to Time for that Purpose especially appointed, to take and seize all and every able-bodied Freeman who live idle and do not follow or exercise some lawful Calling or Employment, or have not some other visible and lawful Support and Maintenance, and to make or cause to be made Search, within their several and respective Counties, for all and every such Person and Persons as they can find, who are or shall appear to them to be within the Description of this Act, and to bring before the said Justices, or any two or more of them, all such Persons. And in Case the said Justices, before whom such Person or Persons shall be brought, upon Examination had before them, shall judge them, or any of them, to be such as are herein before described

[Upon Application of an Officer to any Justice, he is obliged to issue his Warrant.]

[To take up idle Freeman;]

[and enlist them as Soldiers.]

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Liber H. S. to be retained in his Majesty's Service on the said Expedition, they  
 No. I shall immediately enlist him or them as Soldiers, and the same Justices are hereby authorized and required, by Warrant under their Hands and Seals, to cause the Person or Persons so enlisted, to be delivered to such Officer or Officers, who are hereby required to give a Receipt for such Person or Persons so delivered to him or them, which Receipt shall be returned to the said Justices, and by them transmitted to the Governor, or Commander in Chief, for the Time being.

And be it further Enacted, That the Pay of every Soldier enlisted by Virtue of this Act, shall commence from the Time of his being taken, and delivered to such Officer or Officers appointed and impowered to enlist Men, and such Soldier shall receive the same Pay as any other enlisted Soldier. And if any Person or Persons enlisted by Virtue of this Act, or otherwise, within this Province, shall be so maimed or wounded in his Majesty's Service, as to be rendered incapable of maintaining themselves, he or they shall, upon his or their Return, be supported at the Public Expence; provided such Persons, at the Time of their enlisting, were Residents within this Province.

Provided always, That nothing in this Act contained shall extend to the taking or levying any Person to serve as a Soldier, who hath any Vote in the Election of a Delegate, or Burgess, to serve in the General Assembly of this Province, or who is under the Age of Twenty One Years, or above the Age of Fifty Years, or who shall at this Time be indebted to any One Person in the Sum of Five Pounds Current Money.

And be it further Enacted, by the Authority aforesaid, That although any Person who shall be taken pursuant to this Act, shall refuse to take the Oaths to the Government, that such Person, not being a known or professed Papist, or Roman Catholic, shall, notwithstanding, be adjudged, deemed, taken, and retained, as a Soldier for the Service aforesaid.

And be it further Enacted, That this Act, or so much thereof as relates to the raising and levying Men, shall continue and be in Force, from and after the Passing thereof, for and during the Term of One Year, and no longer.

23.<sup>d</sup> December 1754  
 Read and Assented to  
 by the Lower House of  
 Assembly  
 Signed p Order  
 M Macnemara Cl lo ho.

On behalf of the Right  
 Honourable the Lord  
 Proprietary of this Province  
 I will this be a Law  
 Hor.<sup>o</sup> Sharpe

The great seal in  
 Wax Appendant

23.<sup>d</sup> December 1754  
 Read and Assented to  
 by the Upper House of  
 Assembly  
 Signed p Order  
 J. Ross Cl Up Ho

I do hereby Certifie that Richard Burdus Clerk of the Provincial Court and Secretarys office of the Province of Maryland this Day Personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary af.<sup>d</sup> his Council of State and made Oath on the Holy Evangels of Almighty God that He carefully Examined the Law contained in this Book beginning at fol 165 and Ending at folio 167 with the original Act that passed the Great Seal Sworn to this 11<sup>th</sup> Day of February Anno Domini 1755

Edw.<sup>d</sup> Lloyd



SEAL

The Seal of the Provincial Court is hereunto Affixed on Behalf of Edmund Jennings Esq<sup>r</sup> Deputy Secretary of Maryland.

R. Burdus Clk of Sec.<sup>rys</sup> Office and Prov.<sup>ll</sup> Court

Liber H. S.  
No. 1





## APPENDIX



## APPENDIX

### PAPERS RELATING TO CERTAIN ACTS PASSED BY THE GENERAL ASSEMBLY OF MARYLAND, 1751-1754

#### I

#### LEGAL OPINION OF CHARLES PRATT TO THE GUARDIANS OF FREDERICK, THE YOUNG PROPRIETARY, AS TO THE ADVISABILITY OF PERMITTING THREE ACTS TO REMAIN LAWS

[EDITOR'S NOTE.—The General Assembly at its June, 1751, Session, passed three acts, which Arthur Onslow and John Sharpe, the guardians of Frederick, the Lord Proprietary, still a minor, questioned the advisability of giving their assent to on his behalf. The endorsements and the papers show that they were submitted in June, 1752, to Charles Pratt for a legal opinion as to their merit, by Hugh Hamersley, at this time an assistant secretary for Maryland affairs to Frederick's guardians. Pratt, who later became Lord Chancellor and first Earl Camden, wrote in his own hand the opinion which follows (pages 627-630), advising the assent of the guardians on behalf of Frederick to two of the acts and the dissent or veto to the third, although his advice as to the last was not followed. "The Speaker" referred to in the endorsement was Arthur Onslow (1691-1768), for many years speaker of the House of Commons, and one of the young Proprietary's guardians. The identity of "the Attorney General" mentioned in the endorsement is not clear, as there is a question whether the endorser referred to Sir Dudley Ryder (1691-1756), who held this office in 1752, or to William Murray (1705-1793), later the Earl of Mansfield, one of the legal advisers to the guardians, who became Attorney-General a short time later.]

Case on the 3 Maryland Laws herewith left which are  
transmitted for the Lord Proprietarys Assent

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By the Charter of this Province Power is given to the Lord Proprietary with the Consent of the Majority of the Freeman of the Province their Deputys or Rep.<sup>ves</sup> Assembled together to make & Enact Laws as well in respect to the Publick State & Cond.<sup>n</sup> of the Province as for the Private advantage of Individuals under this restriction only. p. 1

"Ita tamen Quod Leges prædict sint rationi consone, & non  
"sint repugnant nec contrar, sed quoad Convinen fieri poterit  
"Consentaneæ Legibus, Statut, Consuetud ac Juribus hujus  
"regni nostri Ang.<sup>1</sup>"

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A Copy of this Charter is in M.<sup>r</sup> Pratt's hands with the rest of Lord Baltimore's Papers.

The Legislature of this Province consists of 3. Estates Viz.<sup>t</sup> The Governor, And Upper House of Assembly, & a Lower House of Assembly To which may be added a 4.<sup>th</sup> Estate in the Person of the Lord Prop.<sup>ry</sup> to whom all the Laws are from time to time transmitted after they have reced the Gov.<sup>rs</sup> Assent for his Lordship to approve or disapprove as he shall think fit & his Lordships at Liberty if he thinks fit to Signify his Dissent to any Law or Right which has been frequently Exercised & the Proposed Law thereupon Laid aside

The Affairs of this Province are at present during the minority of the Lord Prop.<sup>ry</sup> transacted under the care & direction of the Speaker & M.<sup>r</sup> Sharpe his Lordships Guardians to whom several Acts of Assembly lately passed in the Province have been transmitted for the Lord Prop.<sup>ry</sup>s Assent or Dissent & amongst others the 3. Acts of Assembly herewith left under the following Titles Viz.<sup>t</sup>

- 1.<sup>st</sup>. . . . "An Act to make the Testimony of Convicted Persons  
" Legal ag.<sup>t</sup> Convicted Persons."
- 2.<sup>d</sup>. . . . "An Act for the more Effectual Punishm.<sup>t</sup> of Negroes  
" & other Slaves & for taking away the benefit of Clergy  
" from certain Offenders; And a Supplementary Act to  
" an Act Entitled "An Act to prevent the tumultuous  
" Meeting & other Irregularitys of Negroes & other Slaves  
" & directing the manner of Trying Slaves."
- 3.<sup>d</sup>. . . . "An Act to aid the Title of Purchasers of Lots in  
" Princess Anne Town in Somerset County."

As some doubts have arisen upon the Perusal of these 3. Acts with respect to the Propriety or Legality of some of the Provisions contained in each Act The Guard.<sup>ns</sup> are desirous of your thoughts upon them Whether the s.<sup>d</sup> Acts or any & which of them are proper to receive the Lord Prop.<sup>ry</sup>s Assent or Dissent & for what Reasons.

1.<sup>st</sup> Act. . . . . With respect to the 1.<sup>st</sup> Act The Doubt extends to the whole Provision of the Bill which is fully described & Explained in the Title Viz.<sup>t</sup> " The making the Testimony of Convicted Persons Legal ag.<sup>t</sup> Convicted Persons."

The Charter requires the Laws of this Country not to Contravene but to preserve as near a Conformity as may be to the Laws & Customs of England.

Now by the Laws & Customs of England It is apprehended That no Convict/who whilst his Sentence remains in force is Considered as Dead in Law & the Commutation of that Sentence for transportation is only a Conditional Pardon not compleat till the Cond.<sup>n</sup> be performed/can be reced to give his Testimony in any matter Civil or Criminal

But then it is to be Considered Whether the peculiar Circes of Calvert  
 this Country where there is a great annual Importation of Convicts Papers  
 & where they are retained in the Service of different Masters & No. 486  
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 Suffered to go at large & with whom they "Celum non animum  
 mutant" may not render such a Deviation from the Laws of their  
 Mother Country/who can have no such Law as they are Subject  
 to no such Inconveniency/not only a prudent Provision but a neces-  
 sary measure as Calculated for the Meridian of this Country where  
 as in every other Governm.<sup>t</sup> the Salus Populi, ought to be, Suprema  
 Lex.

And their being made Evidence is only ag.<sup>t</sup> one another & for  
 New Facts that must arise Subsequent to their Transportation and  
 which must be committed out of the Kingdom tho within the Realm  
 of Great Britain

This Act is made Temporary for 3. years and to the end of the  
 next Session of Assembly.

2.<sup>d</sup>. . . . As to the 2.<sup>d</sup> Act relating to the Punishm.<sup>t</sup> of Slaves—  
 Your Consid.<sup>n</sup> is more immediately desired upon the parlar Provi-  
 sions made by the Act as the necessity of Some Regulations for  
 the Discipline & Punishm.<sup>t</sup> of Slaves is Notorious & Confirmed by  
 antient usage as well in Maryland as in all others his Matys Ameri-  
 can Dominions.

But the Propriety of the Parlar Regulations made by this Bill the  
 parlar Severitys & penaltys inflicted by the Bill & the methods of  
 Convicting Offenders or, as in one Instance in the Bill the Liberty  
 to kill such Offenders in Case of resistance and that without any  
 after Tryal are matters more immediately worthy of Consideration

By the Parlar Clause Alluded to/Sect. 9/There is a Power given  
 to any Person to Kill any Slave who shall make resistance & the  
 Person Killing is Indemnified from any Prosecution for such Kill-  
 ing/by which it is apprehended to be Intended that there shall be no [p. 2]  
 Prosecution at all ag.<sup>t</sup> the Murtherer/& the value of the Slave Killed  
 is to be paid by the Publick Treasurer to the Owners.

Whereas without such Prosecution Tryal neither the Original  
 Offence of the Slave nor his resistance to the Officer appointed to  
 take him, nor consequently the Innocence of the Officer in Killing  
 him agreeable to the Act/in case such a Killing under the parlar Circes  
 in the Act sh.<sup>d</sup> be thought Justifiable/can be made appear

By the 2.<sup>d</sup> Sect. If a Slave Conspire Advise or attempt /int. a & /  
 to Commit a Rape on a White Woman or to burn a House shall  
 Suffer death as a Felon

So Likewise by the 4.<sup>th</sup> Sect. Sentence is to be passed ag.<sup>t</sup> any  
 Slave who shall be Guilty of the Offences described in the Act &  
 Convicted upon his own Confession or the Verdict of a Jury upon  
 the Testimony of one or more Legal or Credible Witnesses or even

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the testimony or Evidence of other Slaves Corroborated with such pregnant circes as shall convince the Jury who shall trye the fact of the guilt of such Slaves to give Judgm.<sup>t</sup> according to the nature and quality of the Offence

By next Sect.<sup>n</sup> A Slave giving false Testimony against another Slave shall have one Ear Cut off on the day of Conviction and receive 39 Stripes on the naked back and the other Ear shall be Cropped the next day with y<sup>e</sup> like Number of Stripes.

By the 8.<sup>th</sup> Sect.<sup>n</sup> If a Slave shall/int. a &/be Guilty of Rambling or going abroad in the Night The Justices of the County Court are obliged upon the application of the Owner or of any other Person injured by such Slave immediately to punish the Slave by Whipping Cropping or Branding in the Cheek with the Letter R. or otherwise not extending to Life or to render such Slave unfit for Labour

This Likewise is made a temporary Law for 3 years & to the end of the next Session of Assembly.

3.<sup>d</sup> As to the 3.<sup>d</sup> Act—Which is an Act for Aiding the Title of Purchasers of Lots in Princess Ann Town

It is to be Considered whether the Act is not Calculated to give the Purchasers/this aid at the expence of the Lord Prop.<sup>ry</sup>

The Objects of this Act are first 25 Acres of Land/Supposed to have been heretofore the right of David Brown/Laid out into 30. Lots & Erected into a Town called Princess Ann Town many of which have been taken up & well Improved & others Secured tho not built on—and 2.<sup>dly</sup> Some other Land called the Publick ground on which the Court House &c. have been placed—And the Act recites a doubt concerning the Title of the s.<sup>d</sup> Lots/Viz.<sup>t</sup> the 25. Acres/which are Supposed to be Escheat to the Lord Prop.<sup>ry</sup>

And Enacts That where any Person hath taken upon Purchased or shall hereafter take upon Purchase any Lot or part of a Lot in the s.<sup>d</sup> Town & shall pay for the use of the Lord Prop.<sup>ry</sup> 20.<sup>s</sup> Sterling for such Lot or in proportion for part of a Lot only to the Clerk of the s.<sup>d</sup> County Such Paym.<sup>t</sup> Shall after Enrolm.<sup>t</sup> of the receipt to be paid for the same Invest the Owner of such Lot with an Indefeazible Estate of Inheritance in fee Simple in such Lot So taken up and Purchased.

And upon Paym.<sup>t</sup> of the like 20.<sup>s</sup> Sterling to the use of the Lord Prop.<sup>ry</sup> for the Publick ground The fee Simple thereof is in like manner vested in the Justices of the County.

Now the only view of this Act is to obviate Doubts concerning the Lord Prop.<sup>ry</sup>s right & to vest a fee Simple in Purchasers in Opposition to that right And by this Act the Lands are vested in the Purchasers so as never to revert to the Lord Prop.<sup>ry</sup>

Nor are there any Quit Rents reserved to the Lord.

And the only reasons for making the Act seem to be to deprive the Lord of the benefit of his Escheat & next of the Quit rents reserved upon all his Grants which make the Principal branch of his L<sup>d</sup>ships Revenue

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For which, as to the 25. acres, not the least reason is assigned to Justify the Law the benefit of which is Equally extended to such as have already Purchased or shall hereafter Purchase & the Law seems Calculated in the nature of a Compromise between the Lord and the people wh<sup>e</sup>.<sup>r</sup> Escheat or not Escheat

As to what is called the Publick ground the Act is Silent as to the Supposed right which is therefore apprehended to be Incontestably in the Lord Prop.<sup>ry</sup> & the remaining Consid.<sup>n</sup> is whether the Publick Buildings already Erected upon this Spot shall work a Sufficient merit in the Publick to Entitle them to this Land and whether if the Lord Prop.<sup>ry</sup> is willing to be Divested of his rights this is the proper & necessary method to pursue by binding him by a Publick Law in the first Instance before his Assent be otherwise Signified or whether that Assent sh.<sup>d</sup> not have been Signified in some other Shape & preceded the Law

Qq.<sup>r</sup> . . . Please therefore to Consider the three several Laws [p. 3] herewith left And upon the several hints here offered and such others as may arise upon the perusal of the Acts to be Submitted to your more Serious Consid.<sup>n</sup> To give your particular advice and Opinion upon each Law to the Lord Prop.<sup>ry</sup> and his Guardians in Order to Give their Assent or dissent thereto

Note. . . . Since the transcribing these Short heads We have found amongst the late Lord Baltimore's Papers in the Collecting of the Acts of Assembly passed in 1745 the parfar Act refered to by this last Act for Laying out princess Ann Town which is herewith Left & by the last Clause of that Act there is a reservation of 1.<sup>d</sup> Sterling p Acre yearly to the Lord Prop.<sup>ry</sup> for each Lot taken up But it must be Submitted to your Consid.<sup>n</sup> How far that reserved Rent is taken care of by the present Act and whether the Clause in this Act vesting the fee Simple in the Takers up or Purchasers ought not to have preferred the Lords Quit rent in the same or such like manner as in another Act herewith also Left relating to Baltimore Town

[EDITOR'S NOTE.—The handwriting changes and the following opinion is in the hand of Charles Pratt, later Earl Camden and Lord Chancellor]

To y<sup>e</sup> first Law stated in this intituled An Act to make the Testimony of Convicted persons Legal Ag.<sup>t</sup> Convicted persons.

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I think this Law not only expedient, but indeed necessary for y<sup>e</sup> safety & good Government of the Colony; for now this disability is in truth become a privilege, & the Infamy of every Convict is a shield to protect himself & all his fraternity from the Hands of Justice. This inconvenience can never be felt in England, because Our Felons here are either dispatched by execution or removed by transportation, by w<sup>ch</sup> last means they become a pernicious body in the Plantations: So that as the Law stood before this Act, if a Convict had prudence enough to make choice of proper Accomplices, he might venture to Commit the Highest Crimes with impunity.

Nor do I see that this Provision is repugnant to the true spirit of the English Laws so as to raise any serious Objection to the Passing of this Act, for besides that the Charter gives a Latitude to vary in some Cases frō y<sup>e</sup> Laws of England by saying that y<sup>e</sup> Laws of this Colony shall be Consentanee only, quoad fieri poterit w<sup>ch</sup> leaves a Liberty in the Legislature to deviate where it shall be necessary or expedient for the Colony: I think the true intention our Law in this particular was to protect the Innocent from the danger of such Infamous Witnesses, & not to favour Convicts ag<sup>t</sup> each other, because death being the Consequence of y<sup>e</sup> Sentence, the Law c<sup>d</sup> not suppose the Case to exist, & whereon the Mercy of the Crown sh<sup>d</sup> interpose by way of Pardon the Criminal obtains a New being & the disability would be entirely removed. So that According to the nature of y<sup>e</sup> Law the Criminal being either pardoned or executed, his Power of Testimony is either cast off by death or revived by Pardon.

Consider further whether the Practice of Admitt.<sup>s</sup> Accomplices in England to be witnesses before Conviction does not in reason justify the propriety of this Act; For Altho Accord<sup>s</sup> to Common Sense the Witness confessing his Guilt is equally undeserving of Credit before Conviction as he w<sup>d</sup> be after Conviction, yet this Evidence is constantly received, because otherwise Offenders c<sup>d</sup> not be brought to Justice. The same necessity therefore in another Country will certainly authorise the Like Practice: w<sup>ch</sup> tho' it may be formally refuzed to the Letter of y<sup>e</sup> English Law will be substantially agreeable to y<sup>e</sup> spirit of it.

To the Second Law entitled An Act for y<sup>e</sup> More effectual punishment<sup>t</sup> of Negroes &c. This throughout is a very severe Law, w<sup>ch</sup> however I must in the main presume necessary for y<sup>e</sup> Well being of this Country w<sup>ch</sup> is more than half peopled with Slaves, who are, I doubt, a Species of men that must be governed by fear & punishment. With regard therefore to the General provision of this Act, & the Policy of their security, I must leave that to the Legislature of Maryland who are better Judges of their government than I can be.



The first Provision in the Act makes it Felony in any Slave to Consult advise Conspire or attempt to raise any Insurrection &c

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With us no Attempt or Conspiracy is Felonious except only in the Case of Imagining the King's death, & even that must be proved by some overt act: And yet in the Government of Slaves who must be perpetual Enemies to y<sup>e</sup> County where they live, it may not be unreasonable to Consider all their Capital Crimes in the Light of High treason. In this however I submit to y<sup>e</sup> Maryland Legislature.

Neither do I see any Objection in making slaves witnesses ag<sup>t</sup> each other, but think that is right.

The next Clause worthy of Consideration is that w<sup>ch</sup> makes rambling &c in the night riding Horses in the day time without Leave & running away punishable at the discretion of the Magistrate with this restriction only that the punishment shall not extend to death or to disable the Slave frō Labour.

I do not find any fault with this, for either you must Compile a Body of Laws specifying every species of their inferiour offences with y<sup>e</sup> Punishment adapted to each, or you must leave the Correction of them to some Judge: & I think the Magistrate a much fitter person to be intrusted than the Master.

The Next Clause is intended to Indemnify persons Lawfully authorized to Apprehend slaves who shall kill any slave for refusing to surrender or resisting & it says such person shall be indemnified from any prosecution for the same. From w<sup>ch</sup> words it is apprehended that y<sup>e</sup> Killer in that case is to be privileged from Indictm<sup>t</sup> & trial: But I am clearly of Opinion that is not y<sup>e</sup> meaning of the Act, For how shall it Appear that y<sup>e</sup> Killer was lawfully authorised to Apprehend the Slave but by Evidence at the trial. For this excuse under y<sup>e</sup> Act of Assembly is not cognisable by any other Court but that where the Criminal is Indicted, nor can it be pleaded in Bar to the Indictment to w<sup>ch</sup> there is but one Plea—Not Guilty. If then upon the trial he proves his Case within the Act & is accordingly acquitted, he is by that Judgement Indemnified from any prosecution for that offence. Every innocent man is truly indemnified frō all prosecution, & yet if he is charged with a Crime he must prove his Innocence. I think this Act might be better framed, as indeed all of them might, for they are very inaccurate, but as the Trustees cannot Amend, I think they sh<sup>d</sup> not reject for mere inaccuracies where the law is substantially right.

To the Third Act intituled an Act to Aid the Title of Purchasers &c. [p. 4]

This Act I think ought not to be passed because it invades the private property of the Lord Proprietor without his Consent first had, & may prove a mischievous Precedent hereafter if not checked in the Beginning.

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It Appears by the Preamble there is some doubt whether the Lands in Question were not escheated to L<sup>d</sup> Baltimore: In w<sup>ch</sup> case it was but decency as well as justice to have Apprised the Lord Proprietor of y<sup>e</sup> State of his title, & to have alledged such reasons as they thought expedient to prevail upon him to give up or to sell his right for the Benefit of the Publick; In w<sup>ch</sup> Case I am sure His Lordsh<sup>ps</sup> Guardians w<sup>d</sup> have advised him to Condescend to any reasonable petition. Instead of that they have of themselves destroyed his title, sold his Lands for their own price & even stripped him of the Quit Rent w<sup>ch</sup> had been reserved to him by another act not above 6 years before. As the Trustees therefore are ignorant of the state of his Lordsh<sup>ps</sup> right, & as they cant Judge whether the price settled is a proper equivalent for his right, As y<sup>e</sup> Quit is taken away, & Possibly the whole right of Escheat for y<sup>e</sup> future absolutely extinguished by this Act of Assembly I don't see How the Trustees for my Lord can pass this Act.

I Think further If the Trustees were satisfied this was a reasonable Bill it ought to be rejected for the sake of the Precedent.

C. Pratt 13. May 1752.

Serj.<sup>ts</sup> [?] Inn

[The opinion in Pratt's handwriting ends here. The objections made by him to two of the above acts, viz. those relating to the punishment of slaves and the title to lots in Princess Anne, were met by supplemental acts passed in November, 1753. See pages 381, 382, 373, 374.]

Note... The late Lord Baltimore dyed the latter end of April 1751 and after his Lordships death but before any Notice had arrived of that event in the Province Viz.<sup>t</sup> in June 1751 The above with several other Acts of Assembly were passed by the Legislature there which had occasioned a Doubt as to the Validity of the several Acts passed under these Circes—whether they are to be Considered as Valid and Effectual notwithstanding they were passed after his Lordships death tho before it was known in the Province or whether they are upon that Account to be deemed Null & Void

The Assent given by the Governor to these Laws is on behalf of the Lord Proprietary as appears by the Subscription at the foot of the Acts of Assembly herewith left and the force of these Acts is generally Suspended for a Limited time in Order to give the Lord Prop.<sup>ty</sup> an Opportunity of Signifying his Assent or Dissent after the expiration of which time the Acts are in full force without further ceremony.

Amongst the Acts of Assembly passed in this Province there is an Act passed in June 1715. Entitled "An Act to Confirm and make Valid in Law all manner of Process and Proceedings in the several Courts of this Province from the Demise of her late Majesty, Queen Ann of Pious memory, to the end of this present Sessions of As-

sembly" In the Preamble whereof Notice is taken That by the great distance between that Province and Great Britain It was Impossible to have Notice of the Demise of Queen Ann which happened in the August preceeding till several Months were Elapsed during which time many Proceedings were had in the Court of Justice in the Province & Judgm.<sup>ts</sup> &c Awarded on Sundry Writs & in her Matys name and by her Authority which by reason of the late Kings Accession which co.<sup>d</sup> not be Notified were Lyable to be reversed by Writ of Error or otherwise. It is therefore Enacted That all Pleas &c Prosecuted to Judgm.<sup>t</sup> since the Queen's Demise to the end of the then Session of Assembly shall be Effectual notwithstanding such Demise or the want of Jurisdiction in the Courts.

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This seems to be the only Act in the Collection of the Laws of this Province the least Apposite to the present purpose and at the time this Law was made the Governm.<sup>t</sup> of the Province was in the hands of the Crown who had resumed it on Account of the Ancestors of the present Lord Prop.<sup>rs</sup> being Papists.

The Act of 7 & 8 W. and M. Cap. 15. for Extending the Continuance of the Parliam.<sup>t</sup> here to 6 Months after the Demise of the Crown does not extend to the Plantations.

Your Opinion is hereupon desired for the Information and Assistance of the Lord Prop.<sup>rs</sup> Guardians.

1<sup>st</sup>. . . . With respect to the 2. Acts of Assembly herewith left and the Legality and Propriety of each Whether either and which of them is proper to receive the Assent or Dissent of his Lordships [p. 61] Guardians.

2<sup>d</sup>. . . . Whether the several Acts of Assembly passed after the late Lord Prop.<sup>rs</sup> Death but before it was Notified in the Province are therefore to be Considered as Null and Void for want of Jurisdiction in the Legislature there to pass the same or are to be Considered as Valid and Effectual & may properly receive the Assent of the present Lord Prop.<sup>rs</sup> Guardians notwithstanding the late Lord was dead before they were passed.

[Endorsed on back:]

Case on the 3. Maryland  
Laws herewith left  
For your Opinion  
M.<sup>r</sup> Pratt  
G<sup>as</sup>

To meet the Speaker at the Attorney Generals House on Thursday 4.<sup>th</sup> June 1752. at 8. in the Evening

To Confer upon the two first Acts within mentioned and also upon the Short paper annexed

Hamersley

## II

## PETITION TO GEORGE BEALL ASKING FOR THE REPEAL OR MODIFICATION OF THE ACT OF 1751 TO LAY OUT GEORGETOWN

[EDITOR'S NOTE.—Reference to the Journal of the Upper House shows that a petition, undoubtedly the following undated one, was presented, October 22, 1753, by George Beall to this body requesting the repeal or modification of the act of the General Assembly, passed in June, 1751, creating Georgetown. No action seems to have been taken on his protest, but it throws an interesting sidelight upon the beginnings of the national capital.]

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No. 4  
Letter No. 86  
[October,  
1753]

To his Excellency Horatio Sharpe Esq.<sup>r</sup> Governor of  
maryland and the honourable the upper and Lower houses  
of Assembly.

The Humble petition of George Beall of Frederick County  
Sheweth

That at a Session of assembly begun and held at the City of Annapolis on the fourteenth day of may in the year of our Lord Seventeen hundred and fifty one Several of the Inhabitants of Frederick County by there petition to the then General Assembly Set forth that there was a convenient place for a Town on potomack river above the mouth of rock creek Adjacent to the Inspecting house in the Said county and thereby prayed that Sixty acres of Land might be then Laid out and Erected into a Town and your petitioner further sheweth that the place Where the Town aforesaid was petitioned for being on or near where your petitioner had Severall dwelling houses out houses orchards and other Improvements and your petitioner haveing accidenttily had notice of the Said petition came to Annapolis and waited Several Days in Town in order to object to an act passing for Laying out a town which might Effect or take away your petitioners Dwelling house out houses and other Improvements or otherwise be Injurious to your petitioners property and Staid tell your petitioner was Informed by two members of the upper house of Assembly that the Said petition was rejected in the said upper house upon which your petitioner went home well Satisfied that nothing cou<sup>d</sup> be done that Session of Assembly in relation to the Said petition—

And your petitioner further Sheweth that after your petitioner Left Annapolis the Said petition was contrary to the Information that your petitioner had received as aforesaid Sent to the Lower house of Assembly and in pursuance thereof an act of Assembly passed Constituteing appointing and authoriseing Severall Commissioners in the Said act mentioned to purchase Sixty acres of Land part of the tracts of Land belonging to George Gordan and your petitioner at the place aforesaid where it shou<sup>d</sup> appear to them

or the major part of them to be most convenient and to Survey and Lay out or cause the Same to be surveyed and Laid out in the best and most convenient manner into Eighty Lotts to be Erected into a town—and your petitioner further Sheweth that the Commissioners by the Said act nominated & appointed or the major part of them were Impowered and required to treat and agree with the owner or owners person or persons Interested in the Same Sixty acres of Land for the purchace thereof and if it Should happen that the said owner or owners person or persons wouldnd agree with the Said Commissioners for such rate or price as they the Said Commissioners or the greater part of them Should think reasonable of the Same or that thorough non age coverture or other Disability or Impediment Should be Disabled to make Such Sale that then and in Every Such case the Commissioners aforesaid or the major part of them Should and were thereby Impowerd and required to Issue their warrant under their hands and Seals Directed to the Sheriff or Coroner of Frederick County for the time being commanding him to Summon and Impanell a Jury upon their oaths to Enquire assess and return what Damages or recompence they shoud think fitt to be paid or given to such owner or owners person or persons Interested in the Said Sixty acres of Land as aforesaid but if the Said Jury Should Assess and Value the said Land at a Less price then fifty Shillings currant money for Each acre that then and on Such case the purchacer or purchacers of Such Land Should pay such further sum over and above what Should be the Valuation of the Jury as Should make up the Sum of fifty Shillings like money as aforesaid for Every acre to be paid to Such proprietor or proprietors as aforesaid as by the Said act of assembly reference being thereunto had and to which your petitioner begs Leave to refer may more fully and at Large appear—

And your petitioner further Sheweth that in pursuance of the Said Act the Said Commissioners or the Major part of them Surveyed and Laid out for the Said town a parcell of land belonging to your petitioner on which Stood three dwelling houses and a Store house which your petitioner then rented for twenty Seven pounds Currant money and ten pounds Sterling p<sup>r</sup> annum besides a resurvation of one of the rooms in the Store for your petitioners own use and a roleing house orchard and Several other Valuable Improvements and proposed to buy the Same of your petitioner but he being unwilling to part from his Land houses and other Improvements absolutely refused to Sell the Same upon which the Said Commissioners Issued their warrant to the Coroner of Frederick County agreeable to the Said Directions of the act to Summon a Jury and the Said Jury were also Agreeable to the directions of the Said act Sworn by the Commissioners to Inquire assess and return what Damages the Said George Gordon and your petitioner

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p. 3 Shou<sup>d</sup> have as a recompence for their Land houses orchards and other Improvements who assessed and Valued the Said Sixty acres of Land with al the Improvements thereon part of which was the property of the Said George Gordon and the Residue the property of your petitioner to two hundred and Eighty pounds Currant money which was Less then the Value of your petitioners Improvements and your petitioner further Sheweth that he to save his Improvements for the present till he could get redress against the proceedings of the Said Commissioners from your Excellency and honours made choice of two Lotts as allowed him by the Said act of Assembly on one of which Stood a dwelling house Valued by the Said Commissioners at onely twelve pounds Currant money tho the Same at the time of the Valuation was rented by your petitioner to a tenant for twenty five pounds p<sup>r</sup> annum on the other Stood two Store houses one of which was built with Stone Valued at twenty four pounds currant money tho the Same at the time of the Said Valuation was rented by your petitioner for ten pounds Sterling p<sup>r</sup> annum—

p. 4 Which proceedings of the Said Commissioners is not onely onely detrimental but Ruinous to your petitioner—that part of his Improvements which rendered his two tenements aforesaid Valuable being thereby taken away and other buildings and Improvements of your petitioner Valued to much Less then they are really worth and contrary as your petitioner Conceives to the Intention and meaning of the Said act of Assembly aforesaid which was made on a Soposition as your petitioner apprehends from the terms of the Said Act that the place on which the Said Town was to be Laid out Should Contain no Improvements and your petitioner further Sheweth that there has been a manifest Partiality in the Commissioners in Laying out the Said town they haveing Included all your petitioners Improvements and Left the most Valuable part of the Said George Gordons Improvements out of the town tho the Same Lays near the Center thereof—all which your petitioner Did Sett forth in his humble petition to your Excellency and Honours (of the upper and Lower house of Assembly in the year 1753) and from the Contenance then given your petitioner he is encouraged at this time to Represent his case, And as the Said act of Assembly and the Execution thereof by the Commissioners aforesaid are contrary to reason & Justice and tends to the ruin of your petitioner he humbly prays that Leave may be given to bring in a bill to repeal the Said act or that such other Steps may be taken for your petitioners redress in the premises as to your Excellency and Honours Seem most proper and your petitioner Shall Ever pray &c.

Geo: Beall

## III

PAPERS RELATING TO AN ACT REPEALING A FORMER ACT WHICH  
VESTED A GOOD TITLE TO LAND IN RICHARD BENNETT, AND  
THE REASONS FOR THE PROPRIETARY'S DISSENT, OR VETO, TO  
THE REPEALING ACT

[EDITOR'S NOTE.—The printing in full here of the rather voluminous papers relating to a private act passed by the General Assembly in November, 1753, affecting the title to a tract of land, formerly owned by Richard Bennett, seems desirable for two reasons. The act in question is not only an early example of the attempted confiscation by legislative action of private property without due process of law, but is also worthy of note because the Proprietary's dissent to its becoming a law after it had been passed by the Assembly and approved by the Governor, would appear to have been due to a lucid legal opinion quoted here in full, advising its rejection, which was rendered by William Murray, one of the great legal minds of his time, who was later to become the first Earl of Mansfield.]

To The Honourable the Upper House of Assembly The  
Humble Petition of Bennett Chew a Minor under the Age  
of Twenty one years.

Sheweth

That in the year Seventeen hundred and Seventeen Moriss Burchfield Esq.<sup>r</sup> his late Majestys King George's Surveyor General of the Southern District of America and Joseph Brown Esq.<sup>r</sup> claiming On Authority from the Crown set up a Tract of Land lying and being in Cecil County called Turkey Point to Publick Sale and that Richard Bennett late of Queen Ann's County Esq.<sup>r</sup> deceased being the Highest Bidder purchased the same and some Negroes and Stock thereon for the sum of five hundred and fifty Pounds Sterling And your Petitioner further Sheweth that the said Richard Bennett finding that the said Burchfield and Brown had not any Authority in Right of the Crown to Convey a legal Title to the said Richard Bennett and his Heirs in more than One Moiety of the said Land, refused to Pay the Purchase Money to the said Burchfield and Brown and the said Burchfield and Brown in Order to induce the said Richard Bennett to Pay the same gave the said Richard Bennett the following Writing under their hands to wit "Whereas We the under named have on Behalf of the Crown Sold and Conveyed unto Richard Bennett Esq.<sup>r</sup> One thousand Acres of Land called Turkey Point lately being or Reputed to be the Estate of Peregrine Brown deceased together with some negroes Cattle & horses thereon being for the sum of five hundred and fifty Pounds Sterling so much being bid for the same at A Publick Auction: And Whereas the said Peregrine Browns Title to the said Land is

Black Book  
No. 3:  
letter No. 10  
[Nov. 14,  
1753]

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Black Book  
No. 3;  
letter No. 10  
[Nov. 14,  
1753]

disputable Now We Promise that if a good Title to the said One thousand Acres cant or is not made by the Crown or some Person or Persons on the Crown's Behalf to the said Richard Bennett or his Heirs or Assigns within the space of two years from the date  
p. 2 hereof, that We will Pay unto the said Richard Bennett his Executors or Administrators two hundred and fifty Pounds Sterling out of the said Consideration money—As Witness our hands this Sixth day of June 1718

Being Present

Tho : Macnemara

M. Burchfield

J Browne

And Your Petitioner further Sheweth that the said Richard Bennett did thereupon Pay to the said Burchfield and Brown the said five hundred and fifty Pounds Sterling for the use of the Crown

And your Petitioner further Sheweth that in the Year Seventeen hundred and Twenty at the Instance of the Commissioners of his said Majestys Customs or the said Burchfield and Brown An Act of Assembly of this Province Past to vest the said Richard Bennett with An Estate of Inheritance in Fee in the said Land called Turkey Point as by the said Act Reference being thereunto had may more fully appear And your Petitioner further sheweth that the said Richard Bennett in the year seventeen hundred and forty nine died having before his Death duly made and Executed his last Will and Testament and thereby devised to your Petitioner the said Land called Turkey Point in Tail, And your Petitioner further Sheweth that on the Petition of A Certain Thomas Cotterell a Bill is before  
p. 3 your Honours to Repeal the said Act of Assembly made for securing and confirming a Title in the said Land called Turkey Point to the said Richard Bennett Esq.<sup>r</sup> which said Bill your Petitioner conceives ought not to Pass into a Law in Prejudice of your Petitioner the Devisee of the said Richard Bennett therefore humbly hopes your Honours will be pleased to hear him by his Council in Relation to the said Bill

And your Petitioner shall Pray &c.

[Endorsed]

By the Up H of Ass.<sup>y</sup>

14 Nov. 1753

Read and Rejected

Signed p order

J Ross Cl. Up. H.



To the Right Honourable Frederick Lord Baltimore

Calvert  
Papers  
No. 519  
1754

The Humble Petition of Bennett Chew a minor under the Age of  
Twenty one years  
Sheweth

That in the year 1720, an Act of Assembly of the Province of Maryland past all the Branches of the Legislature, Intituled "an Act for the Confirmat.<sup>n</sup> of the Lands therein mentioned to Richard Bennett Esq.<sup>r</sup>" by which said Act the Said Richard Bennett was vested with an Estate in fee, in a tract of Land called Bolton, or Turkey point, as by the said Act reference being thereunto had may more fully appear. Your Petitioner further sheweth unto your Lordship, that on the Petition of one Thomas Cotterell who sets himself up as heir at Law to a Certain Thomas Robinson in the said Act Mentioned an Act of Assembly past the Generall Assembly of Mary.<sup>d</sup> at their last Sessions to repeal the said Act, made in the said year 1720 in favour of the said Richard Bennett. Which repeal of the said Act is very Injurious to your Petitioner the Devisee of the said Richard Bennett now deceased, and so unjust with regard to your Petitioner that it ought not as he conceives to meet with your Lordships assent To make out w.<sup>ch</sup> your Petitioner has annexed to this his Petition a true state of the Case with copies of the papers referred to, proved before one of your Lordships Provincial majistrates to be such as in the said Case they are represented to be. Wherefore & for as much as your Petitioners property is greatly effected by the repeal of the said Act. Your Petitioner humbly Prays your Lordship will be pleased to give your Petitioner an opportunity of being heard by his Council before your Lordship, in order to obtain your Lordships Dissent to the said repealing Act

And your Petitioner shall Pray &.<sup>c</sup>

A State of the Case of Turkey Point Purchased by Richard Bennett Esq.<sup>r</sup> of the Crown.

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Papers  
No. 520  
[1754]

Peregrine Brown late of London merchant died about the year 1713 Largely indebted to the Crown.

[p. 1]

Thomas Robinson late of Maryland merchant also died largely Indebted to the said Peregrine Brown (and Seized as it is Supposed of amoiety of a tract of Land called Turkey point) by w.<sup>ch</sup> means the Estate of Robinson became liable to Satisfie the debt due from the Estate of Brown to the Crown

To Save the Expence of an Extent against Browns Effects his Widow and devisee & heir at Law assigned to the use of the Crown all Browns Effects in Maryland

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No. 520  
[1754]

In the year 1716 in a Suit of Chancery in Maryland in w.<sup>ch</sup> Maurice Burchfield Esq.<sup>r</sup> Surveyor General of the Southern District of America as Agent and attorney for the Crown was Complainant, and Joseph Brown Son & heir of the said Peregrine Brown defendant, it was decreed that the said tract of Land called Turkey point (supposed to be the property of the said Peregrine Brown) should be sold at publick Vendue, towards satisfying and paying his Majestys debt due from Peregrine Brown, and that the purchaser should be vested with an Estate in Fee / vid Records in Chanc Lib.<sup>r</sup> Pl. fol. 317. as by a Copy thereof under the hand of the Register of the Court of Chancery of Maryland may appear

Turkey Point in Pursuance of the said decree and assignment was put up at publick vendue in Annapolis by the said Burchfield and Brown and purchased by Richard Bennett Esq.<sup>r</sup> together with some negroes & Stock for £550.. Sterling as by the Certificate under the hand of the Auctioneer hereunto annexed may appear.

In 1718 before Richard Bennet payed the purchase money he discovered the Burchfield & Brown had not authority in Right of the Crown to Convey a legal title to him in a more than a moiety of the Land called Turkey Point by reason of the Crowns not having taken the proper steps to Extend the moiety of Turkey point Supposed to belong to the said Robinson, but upon the said Burchfield & Browns passing a writing under their hands to the said Richard Bennett to return him £ 250 Stel. out of the purchase money in Case a good title was not made to the said Richard Bennett of the Land called Turkey point, he paid the purchase money as by a true Copy of the said writing proved by the oath of Michael Macnemara Esq.<sup>r</sup> and hereunt annexed may more fully appear

The Commissioners of his Majestys Customs in the year 1719 wrote a Letter to his Excellency John Hart Esq.<sup>r</sup> then Governor of Maryland acquainting him of Burchfields & Browns Engagements to M.<sup>r</sup> Bennett and that they had promised on behalf of the Crown to Indemnifie Burchfield & Brown against their said Engagem.<sup>t</sup> and that Serjeant Pengelly's Opinion was that a Good title may be made to M.<sup>r</sup> Bennett by an Act of Assembly of Maryland and earnestly recommended to him, to be a means of obtaining such an Act, as by a true copy of the said Letter proved to be so by the Oath of Mich.<sup>l</sup> Macnemara Esq.<sup>r</sup> hereunt annexed may appear

[D. 2] In 1720 an Act of Assembly passed to vest Richard Bennet Esq.<sup>r</sup> w.<sup>th</sup> an Estate in Fee in the said Land called Turkey Point as fully as if the usual Course of Law had been used and taken to Charge the Estate of the said Robinson w.<sup>th</sup> the money due to the said Brown to the Crown and in the said Act it is expressly say'd " that it Evidently appear'd to the then General Assembly that the said Robinson dyed considerably indebted to the said Brown " as by the Said Act of Assembly under the Seal of the Provincial Court hereunto Annexed may appear

Rich.<sup>d</sup> Bennett in 1749. died Seized of Turkey Point, but before his Death devised the same in tail to Bennet Chew

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[1754]

Thomas Cotterell who Sets himself up as heir at Law of Tho.<sup>s</sup> Robinson in 1752 Preferred his petition to the Gen.<sup>l</sup> Assembly of the Province of Maryland Suggesting thereby that Robinson was not indebted to Brown and that the Act in 1720, was obtained by the great Influence and Power of the said Richard Bennett, and thereby prayed that leave might be given to bring in a bill to Repeal the s.<sup>d</sup> Act as to moiety of Turkey Point supposed to belong to his Ancestor Robinson, and altho' the said Cotterell offerr'd no Evidence to falsify the said allegation in the said act in 1720 to wit "that Robinson died considerably indebted to Brown" a Bill was brought in and passed into a Law by the Governor and uper and Lower houses of Assembly of the province of Maryland to repeal the said Act of Assembly in 1720 as to a moiety of Turkey Point and merely as it is conceived because the Devisee of R<sup>d</sup> Bennett who is now a minor under the age of 21 years cannot now prove that the said Robinson died indebted to Brown as by a Copy of the said Act hereunto Annexed may appear

It is conceived the said bill ought not to pass into a Law for many reasons

1.<sup>st</sup> For that it appears the said Act in 1720 was obtained at the Instance of the Commissioners of his Majestys Customs, who are Interested in the Law and have had no notice of the Petition of the said Tho.<sup>s</sup> Cotterell or any opportunity of opposing the same, or making good the allegations in the said act, or Falsyfying the said Robinsons Petition

2.<sup>dly</sup> For that it being alledged in the Act in 1720 that it Evidently appeared that Robinson was Indebted to Brown, ought to be taken for true especially after the Death of the said Richard Bennett and thirty three years Length of time, unless the Contrary could be clearly proved, and the Rather as it appears by the Copy of an Account of the said Peregrine Browns against the said Tho.<sup>s</sup> Robinson found amongst the Papers of the said Richard Bennett deceased and Indorsed in the hand writing of the said Richard Bennett in the following words "taken from an Attested Copy in M.<sup>r</sup> Dulany hands, who has the same to Sue for on Behalf of the Crown," that the said Thomas Robinsons Estate in the year 1716 was Indebted to the said Brown in the sum of £247.18.1½ Stl w.<sup>ch</sup> was much more than the Value of a Moiety of Turkey Point at that time, as by the said Copy of the Account aforesaid, indorsed as aforesaid in the hand writing of the said Richard Bennett hereunto annexed may appear.

3.<sup>dly</sup> For that the said Act in 1720 distroy'd a good Security that Richard Bennett had to Recover from Birchfield & Brown £250. Sterling and gave him a good tittle to what was Supposed to be

[p. 3]

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[1754] Robinsons moiety of Turkey point in Lieu thereof, Therefore altho' it should be admitted that Robinson was not indebted to Brown, and so Robinsons Heir Injured by the said Act, yet it ought not to be repealed without putting Richard Bennetts Devisee in the same state and condition to Recover the £250.. Sterling (the Security taken for, w.<sup>ch</sup> was destroyed by the said Act) as he would have been in, if the said act had never been made, w.<sup>ch</sup> is not done by the present bill, nor can it be done as no Act of Assembly of Maryland can be Obligatory upon Maurice Burchfield whose Effects are in England, so that the passing the present bill into a Law, it is conceived wou'd be doing as great Injustice to Richard Bennetts devisee, as was done to Robinsons heirs by the Act in 1720 in case Robinson was not indebted to Brown tho' the Contrary Appears to be fully proved by the said Act passed in 1720.

[Opinion of William Murray (1705-1793), afterwards Attorney General, and later Lord Mansfield]

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1754 1.<sup>st</sup> Qus<sup>t</sup>. . . . Was the Law in 1720, at the time and under the Circumstances it then past and upon the Principles Laid down in the Preamble a just and Right Law and a proper Exertion of the Legislative power of the Province or was there any and what Irregularity in it and are the Objections to and defects in it of such a nature as to have induced a Repeale upon a Recent Application whilst it was *res Integra*.

I am of Opinion that the Act 1720. upon the face of it is a just and reasonable Exertion of the Legislature in a matter of private property being only to cure a Defect of Forms, and it is to be presumed that every Body was heard.

2<sup>d</sup>. . . . In Case the Law of 1720 was Originally Irregular and Defective either in the Circumstances mentioned in the Preamble to the Repealing Law or otherwise Ought such Irregularitys and Defects to have been Considered as Cured & purged away in 1753/ after 30 Years Acquiescence without any Intermediate Disabilitys alleged/or was the Repealing Law then past a Wise and just Interposition of the Legislature upon the foundations mentioned in the Preamble with the Answers Opposed thereto by the Party now Petitioning both Considered together—And when ought the Commissioners of the Customs to have been heard thereon—And as this Law now Stands has the Purchasers Representative any and what remedy for the Moiety of the Purchase money or for any other and what Equivalent or Satisf.<sup>n</sup> for the Moiety of the Land in Case he sh.<sup>d</sup> be Evicted therefrom and against whom and by what means and how wo.<sup>d</sup> you advise him to proceed in Case of such Eviction.

There are no Objections to the Law made out and the Acquiescence for 33. years is a Demonstration that there were none material. I think the Repeal one of the most unjust Arbi-

trary and indeed Shameful Exertions of Legislative Authority Calvert  
that I ever met with, nay the very Ground alledged, is, that Papers  
the Fact of Robinson being indebted to Browne which was 1754  
proved in 1720, did not appear in 1753. at that rate Every  
private Act may be Repealed in 40. or 50. years when the  
Witnesses are dead. Besides I think the Conveyance from the  
Devises of Robinson upon that Account is Sufficient Evidence  
at this distance of Time.

3<sup>d</sup>. . . . What Answer may the Lord Proprietary most properly  
give to the Petit.<sup>n</sup> Exhibited to him for his Dissent to this Law and  
how wo.<sup>d</sup> you Advise him to Conduct himself therein and if the  
matter should Ultimately be bro't to a hearing before him whether  
to Assent or Dissent to the Repealing Law or how otherwise

I think the Act of Repeal so very bad and unjust upon the  
Face of it, and so Dangerous an Example, that if no Opposition  
had been given to it, nor Application made to the Lord Pro-  
prietary He ought in Wisdom and Justice, of his own accord,  
to have dissented thereto, and I apprehend that no more is  
necessary then to read the two Laws to be fully convinced that  
the last ought not to stand; nor such a Precedent be endured.

W: Murray

16. Nov.<sup>r</sup> 1754.

#### F. Baltimore.

Frederick Absolute Lord and Proprietary of the Province of Council  
Maryland and Avalon Lord Baron of Baltimore &c. To our Right Proc.  
Trusty & Well Beloved Horatio Sharpe Esq<sup>r</sup> Our Lieutenant Gov- Lib. J. R. &  
ernor of Our Province of Maryland And To our Right Trusty and U. S.  
well Beloved the Upper and Lower Houses of our Assembly there 1754  
and to all others in our said Province of Maryland for the time p. 46  
being Greeting Whereas at a Sessions begun and held at Annapolis  
in our said Province of Maryland on the second day of October and  
ending the Seventeenth day of November in the third year of our  
Dominion over the said Province Annoq Domini 1753. "An Act  
Entituled an Act to Repeal an Act Entituled an Act for the Con-  
firmation of the Lands thereinmentioned to Richard Bennett Esq<sup>r</sup> "  
Passed into a Law, On due Consideration whereof We have thought  
fit to Dissent to the said Act And do hereby Declare the said Act  
Entituled "An Act to Repeal another Act Entituled "An Act for  
the Confirmation of the Lands therein mentioned to Richard Bennett  
Esq<sup>r</sup> " Null Void and of no Effect Given under our hand & Seal  
at Arms at London this Tenth day of December in the Fourth year  
of Our Dominion over the said Province Annoq Domini 1754.

[Seal]

By his Lordships Command

Cecil<sup>s</sup> Calvert Sec<sup>ry</sup>

## IV

THE PROPRIETARY'S DISSENT TO AN ACT PROVIDING FOR THE  
EXAMINATION OF WITNESSES RESIDING BEYOND THE SEAS  
AND FOR THE MORE EASY FORECLOSURE OF MORTGAGES

[EDITOR'S NOTE.—Although no papers relating to the reasons which influenced the Proprietary to dissent to this law have been found in the state Archives or in the Calvert Papers, as such dissents or vetoes were unusual, the formal dissent is reproduced as it appears in the Proceedings of the Council.]

His Excellency is pleased to lay before this Board the following Dissents [see also page 641]

F: Baltimore

Council  
Proc.  
Lib. J. R. &  
U. S.  
1754  
pp. 45-46

Frederick Absolute Lord & Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. To our Right Trusty & well Beloved Horatio Sharpe Esq<sup>r</sup> Our Lieutenant Governor of our Province of Maryland and To our Right Trusty and well Beloved the Upper & Lower Houses of our Assembly there and to all others in Our said Province of Maryland for the time being Greeting Whereas at a Sessions begun and held at Annapolis in our said Province of Maryland on the Second Day of October and ending the seventeenth day of November in the third year of Our Dominion over the said Province Annoq Domini 1753. "An Act Entituled an Act to Empower the Several Courts within this Province to order Commissions for the Examination of Witnesses residing beyond Sea and for the more Easy Foreclosure of Mortgages," Passed into a Law, on due Consideration whereof we have thought fit to Dissent to the said Act And do hereby declare the said Act Null Void and of no Effect Given under Our hand & Seal at Arms at London this

Lib. J. R. &  
U. S.  
p. 46

Tenth day of December in the fourth year of Our Dominion over the said Province Annoq Domini 1754

[Seal]

By his Lordships Command  
Cecil<sup>s</sup> Calvert Sec<sup>ry</sup>

## V

OBSERVATIONS UPON THE LAWS PASSED AT THE MAY, 1754,  
SESSION OF THE GENERAL ASSEMBLY

[EDITOR'S NOTE.—The following brief observations upon the laws passed at the May, 1754, Session, of the General Assembly, throws rather more light upon the reasons which brought about their enactment than do the formal journals of the two houses.]

The Titles of & Some Observations upon the Laws that were enacted at a Session of Assembly the 26<sup>th</sup> of February & at another Session of Assembly held at Annapolis the 8<sup>th</sup> Day of May in the fourth Year of His Lordships Dominion Annoq Dom. 1754.

1. A Supplementary Act to the Act entituled "An Act for amending the Staple of Tobacco, for preventing frauds in His Majesty's Customs & for the Limitation of Officers Fees.

By an Oversight of Both Houses the Inspection Law instead of 5 p C.<sup>t</sup> the usual Commission had granted the Sheriffs 6 p C.<sup>t</sup> for Collection of the Clergy's 30<sup>th</sup> p poll which Error is by this Law rectified.

2. An Act empowering the Justices of Frederick County Court, to levy on the Taxable Inhabitants of the said County, a Sum of Current Money for the use therein mentioned. Viz

To repay to a late Sheriff of the said County £118. which the Magistrates of the County had received of him for the County's use when it ought to have been paid into the Loan Office, which by this Law is ordered to be done.

3. An additional Supplementary Act to the Act entituled "An Act for amending the Staple of Tobacco, for preventing frauds in his Majesty's Customs & for the Limitation of Officers Fees.

Some of the Inspector's Sallaries that were affixed too low by the Inspection Law are hereby advanced, & the time of Inspector's Attendance at some warehouses shortned, & any Person who may be chosen Inspector is prohibited receiving any Gratuity for his Resignation.

4. An Act to make it penal to forge or counterfeit the Bills of Credit of Pennsylvania, New York, East or West Jerseys or the three Lower Counties on Delaware called Newcastle, Kent, & Sussex, or to utter or tender the same in payment within this Province, knowing them to be such.

Since the passing this Law any Person that may presume to commit the Offence mentioned in the Title or Preamble can be punished on two Indictments one as a Cheat & afterwards for a Breach of this Law when before He was only punishable as a Cheat.

5. An Act to enable the Justices of St Mary's County to levy a Quantity of Tobacco on the Taxable Inhabitants of King & Queen Parish in said County for the Purposes therein mentioned, viz 2200<sup>lb</sup> Tob.<sup>o</sup> to repair the Parish Church.

6. An Act empowering the Rector, Vestrymen & Churchwardens of Port Tobacco Parish in Charles County for the time being to purchase a Quantity not exceeding two Acres of Land & thereon to build a Chapple of Ease in the said Parish; & to empower the

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Justices of the said County to levy on the Taxable Inhabitants of the said Parish a Quantity of Tobacco for the Uses therein mentioned, viz 44000<sup>lb</sup> Tob.<sup>o</sup> for those Purposes.

7. An Act for building a Prison in Frederick County.

The Justices of said County are hereby ordered to apply for & receive out of the Loan Office the Sum of £400. to build a Prison in that County.

8. A Supplementary Act to An Act entituled "An Act for the Speedy & effectual publication of the Laws of this Province: & for the Encouragement of Jonas Green of the City of Annapolis Printer.

The Several Sheriffs are hereby ordered to pay him for Copies of the Laws & Proceedings of this & the two preceeding Sessions of Assembly, which were to be by him delivered to the County Clerks, for the Use of the several Counties.



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